82d Congress
2d Session

COMMITTEE PRINT

HEARINGS

BEFORE THE

PRESIDENT'S COMMISSION

ON

IMMIGRATION AND NATURALIZATION

SEPTEMBER 30, OCTOBER 1, 2, 6, 7, 8, 9, 10,
11, 14, 15, 17, 27, 28, 29, 1952

Printed for the use of the Committee on the Judiciary

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HOUSE OF REPRESENTATIVES

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PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION

PHILIP B. PERLMAN, *Chairman*
EARL G. HARRISON, *Vice Chairman*
MSGR. JOHN O'GRADY
REV. THADDEUS F. GULLIXSON
CLARENCE E. PICKETT
ADRIAN S. FISHER
THOMAS C. FINUCANE

HARRY N. ROSENFIELD, *Executive Director*

REQUEST FOR TRANSMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, D. C., October 23, 1952.

Hon. PHILIP B. PERLMAN,
Chairman, President's Commission on
Immigration and Naturalization,
Executive Office, Washington, D. C.

DEAR MR. PERLMAN: I am informed that the President's Commission on Immigration and Naturalization has held hearings in a number of cities and has collected a great deal of information concerning the problems of immigration and naturalization.

Since the subject of immigration and naturalization requires continuous congressional study, it would be very helpful if this committee could have the transcript of your hearings available for its study and use, and for distribution to the Members of Congress.

If this record is available, will you please transmit it to me so that I may be able to take the necessary steps in order to have it printed for the use of the committee and Congress.

Sincerely yours,

EMANUEL CELLER, *Chairman.*

REPLY TO REQUEST

PRESIDENT'S COMMISSION ON
IMMIGRATION AND NATURALIZATION,
EXECUTIVE OFFICE,
Washington, October 27, 1952.

HON. EMANUEL CELLER,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN CELLER: Pursuant to the request in your letter of October 23, 1952, we shall be happy to make available to you a copy of the transcript of the hearings held by this Commission. We shall transmit the record to you as soon as the notes are transcribed.

The Commission held 30 sessions of hearings in 11 cities scattered across the entire country. These hearings were scheduled as a means of obtaining some appraisal of representative and responsible views on this subject. The Commission was amazed, and pleased, at the enormous and active interest of the American people in the subject of immigration and naturalization policy.

Every effort was made to obtain the opinions of all people who might have something to contribute to the Commission's consideration. All shades of opinion and points of views were sought and heard. The response was very heavy, and the record will include the testimony and statements of some 600 persons and organizations.

This record, we believe, includes some very valuable information, a goodly proportion of which has not hitherto been available in discussions of immigration and naturalization. It is of great help to the Commission in performing its duties. We hope that this material will be useful to your committee, to the Congress, and to the country.

Sincerely yours,

PHILIP B. PERLMAN, *Chairman.*

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HEARINGS BEFORE THE PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION

WEDNESDAY, OCTOBER 15, 1952

Los Angeles, Calif.

TWENTY-FIRST SESSION

The President's Commission on Immigration and Naturalization met at 9:30 a. m., pursuant to adjournment in Court Room No. 9, Main Floor, Federal Court House Building, Los Angeles, Calif., Hon. Philip B. Perlman, Chairman, presiding.

Present: Chairman Philip B. Perlman and the following Commissioners: Monsignor John O'Grady, Mr. Thomas G. Finucane, Rev. Thaddeus F. Gullixson.

Also present: Mr. Harry N. Rosenfield, executive director.

The Chairman. The Commission will come to order.

The first witness this morning will be the Reverend Frederick A. Smith.

STATEMENT OF REV. FREDERICK A. SMITH, EXECUTIVE SECRETARY, LUTHERAN WELFARE COUNCIL OF SOUTHERN CALIFORNIA

Reverend Smith. I am Rev. Frederick A. Smith, representing the Lutheran Welfare Council of Southern California, of which I am executive secretary, 1371 South Hope Street, Los Angeles, Calif.

The Chairman. The Commission will be glad to hear any statement that you may desire to make with reference to its work.

Reverend Smith. Thank you. I wish to prefix this with a statement that as the Lutheran Church in the whole has not taken official action, this must, of necessity, be my own statement, not committing the church, but it is prepared on the basis of conversation and consultation with many of the leaders, and I believe expresses our viewpoint rather accurately. We have decided not to approach this problem in an attack upon any existing bills or laws, including the McCarran Act, but, rather, to approach from a constructive and a philosophical basis. I would like to read my prepared statement.

The Chairman. We shall be pleased to hear it.

Reverend Smith. A code or law governing immigration of human beings is as sacred a document as can be produced by any nation. In it will be found the extent or limitation of opportunities for multitudes of persons to many generations. In such a document will be revealed

the extent to which a nation existing by God's grace is willing to share the myriads of assets and blessings that have come to them through God's bounty.

Consequently it becomes essential that any immigration law or code devised for and adopted by this great Nation shall be solidly grounded on the recognition of the dignity and equality of all men. Such a law should spell out the basic human right of free men to live where they will and to pursue honorably those things which pertain to his well-being and happiness, so long as that freedom does not infringe upon the basic rights of others.

Such a thesis requires a definite protection of the basic rights and opportunities of United States citizens. However, the restrictions imposed upon those who would enter our country should not be extended to include emotional hypotheses and either sociological or ethnic factors that are beyond reasonable and acceptable proof of undesirable or dangerous factors for either individual United States citizens, or the American way of life. To the extent of such over-restriction there is a denial to the inherent rights of certain human beings to enter, enjoy, and serve the United States.

There is no such thing as a total national or ethnic badness or undesirability. There are good, average, and bad persons in every group. It is questionable that some of the other nations would be happy with the immigration into their midsts of some of the notorious gangsters of our country, but it would be nothing short of insult to our great Nation to have a country bar all United States citizens because of the unsavory reputation of the minimal minority. Therefore it becomes essential that immigration become specifically individual and to deny no one the privilege of both making application and being investigated. That there must be health, moral, social, and economic standards by which the applicant is judged, of course, is obvious; but there should be no preliminary hindrance that will prevent any individual going at least that far through the lines of processing.

The privilege of entrance to our country should not be denied any living human being simply because of the accident of birthplace. Personal character and physical condition (including mental health) should be the basic determinative factors as these are fundamental to all good citizenship.

The purpose for which persons desire to gain entrance to our country is also of major importance. That should be determined at the time of application. Regulations should be strict within the categories, and there should be full expectation that persons availing themselves of the privilege of entry should comply in every respect, and that such regulations should not be viewed as hardships, but at the price of privilege.

Students should not be denied the opportunity for education in our great institutions of learning, but they should be required to keep within their classification. Allowable work schedules for maintenance while in school should be established and subject to review. However, should a student become so impressed with our way of life as to desire to remain, some adequate provision should be made for the change of entry status to permit permanent residence for purpose of obtaining citizenship without imposing unnecessary expense and complications such as is found under certain conditions where one in this

country must return to their own country and seek readmission, with the expense of traveling across the ocean in two directions and so forth.

Those who come for permanent residence, and this, I think is something that should be given careful consideration, should be required to qualify for and accept citizenship within a definite period of time. This period of waiting can be likened into a probationary period in which they learn necessary truths, reach a definite personal decision, and then either accept citizenship and its responsibilities, or leave the country for their own country or elsewhere. There should be no form of immigration that will permit of permanent residence of aliens who work in competition with United States citizens, enjoy all of their privileges but escape certain of their obligations. Such a policy has already contributed to the breakdown in certain circles of a consciousness of national pride and dignity, without which no nation can extend beyond the second generation of these who have neither national pride nor devotion.

Once citizenship has been granted it should mean what it says, and can never be revoked except for proof of fraud used in the securing of the citizenship. From the date of naturalization the former alien shall be a citizen with every privilege and every responsibility of the native-born citizen. Should moral turpitude, criminal transgression, or undesirable ideology develop after naturalization it shall be dealt with in the natural processes of law in exactly the same manner as any native-born citizen.

Citizenship in the United States is to be cherished. It must never become easy to attain, nor should its attainment ever fall entirely in the class of the academic achievement. Personal character and home study factors should provide the major proportion of data on which the determination to award citizenship is founded. To this end it might prove desirable to have periodic reports and/or reviews of the applicant's life pattern during the probationary period.

Should proper administration indicate that a quota by nations system be adopted, it is recommended that periodic reviews (quarterly) be made of the visas issued and unissued within the period, and reallocations be made of the unused visas of one nation be assigned to another nation, or nations, where there has been application in excess of available visas—such transfer to be used within the following period to that in which they were unused. It is obvious that there must be a maximum number of entries permitted within any given period of time. However, it should be handled in such a way that assurance would be given all applicants that no application would be turned down so long as there is an available unissued visa within the framework of the grand total, and said applicant is eligible.

It is also suggested that a cancellation of the mortgage against future immigration would be in keeping with the true spirit of our democracy. Otherwise the true import of the recent Displaced Persons Act will have been lost through the restrictions that will hold against many innocent persons of many countries for many years to come. Our country has already assimilated the displaced persons. They have rendered a good account of themselves and with few exceptions have proven to be economic assets to their communities and generally they have contributed generously of their culture with resultant broadening of many local concepts and local enlightenment. The White Russian group in particular in this area have provided us

with a virile and aggressive group of young men and women imbued with almost a fanatical anticommunism that has penetrated our social structure and aroused to a small degree some of our apathy to at least a dim consciousness of grim danger.

Special provisions should be made for the reestablishing of families that have been broken, especially those which have been scattered by the vicissitudes of war and international strife and aggression. Such a provision should imply the need for special handling and as much haste as intelligent handling and national security can possibly permit.

We need a rethinking of the basis for approach to the general problem of the statute of limitations. It can probably best be done under the premise that citizenship is what it implies and that the so-called final papers are really the final papers, and further that fraud knowingly committed in securing citizenship may, if discovered, on the other hand become the basis of denaturalization and deportation at any time, without limitation.

Provision should be made for the emergency admission to the United States, with a minimum of delay in issuing the special order, for the entrance of large groups of aliens who are otherwise eligible under all other requirements, when such groups become the victims of war or hostile aggression, political persecution, or may be found in areas of calamity or social and physical distress of extreme types. Such groups should be on a nonquota basis, or otherwise applicable to the general total rather than to that of specific groups or countries as mortgage against future years.

One other thing that should be carefully considered, although it would probably come within operative regulations, rather than in the basic immigration code at the present time. When the Immigration Service holds an alien at a point of detention it is now customary to charge such alien on a per diem basis for his maintenance. Many such cases are not brief and consequently this can, and in many cases does, work a definite hardship on the individual, even to the extent of making terrific complications in their return to the country from which they came. Should not such matters be considered in individual basis and determined with the objective of causing a minimum economic disturbance, particularly when matters involved do not fall in the class of major crime or felony.

Reverend SMITH. I would like to supplement that specific paper with an earnest plea to this Commission to broaden, as far as possible within the economic balance of the country, the immigration possibilities, for it has been on the basis of great immigration that a great country has developed a great sociological opportunity for the world.

Thank you, gentlemen.

The CHAIRMAN. Thank you. We very much appreciate the effort and time it took in preparing that statement for us.

Is Dr. Forest C. Weir here?

STATEMENT OF FOREST C. WEIR, EXECUTIVE DIRECTOR, CHURCH FEDERATION OF LOS ANGELES, AND GENERAL SECRETARY, SOUTHERN CALIFORNIA COUNCIL OF PROTESTANT CHURCHES

Dr. WEIR. I am Dr. Forest C. Weir, and the organizations which I represent are the Church Federation of Los Angeles and the Southern California Council of Protestant Churches. I should say that

the sense in which I represent the 22 Protestant communions constituent to these organizations is only that in which I myself can discern the opinions and ideals of these members. It would be foolhardy for me to say that what I say would be fully agreed to by all the members of my constituent communions.

I am the executive director of the Church Federation of Los Angeles, and the general secretary of the Southern California Council of Protestant Churches. I represent these people, therefore, in the sense that I am their chosen executive.

I am quite sure that this matter has been given very serious thought by all our people and that there are a few things in which I could record convictions that would represent their purposes. I am sure that they all agree that the matter of immigration, and the admission of foreign peoples to our country, and their admission to citizenship, is one of the important areas where we demonstrate the reality of our political philosophy as well as our ethics. In view of that, it seems highly important that whatever policy is adopted by our Government in settling this matter it should be in accord with our finest insights, our highest long-range purposes, and should not be determined by temporary hysteria, or by emotional interpretations of the present situation.

One thing we would like to say: That our Congress ought to take account of the emergency situation now in such fashion as to be able to permit population movement to take care of refugees and war casualties. For instance, there were many under the displaced persons program of our country which were not able actually to come, although already processed, because there were not visas available under the legislation which expired at the end of 1951.

Now, certainly it would seem that provision ought to be made for caring for all those that have been orderly processed, but who could not be admitted for the unavailability of visas. Then, there are emergency situations where displaced persons have been admitted to this country, and some part of the family left behind. That ought, certainly, to be cared for so that a family may be reunited. I have as an example a distinguished Chinese citizen; that is, a citizen of China, who represented the Nationalist Government on missions to this country, and who was a member of the Bank of China for a long period of time. He was a man of distinction, and some importance. On one of his missions to this country his Government was overthrown. He was left at the mercy of this Nation. He was given the status of a displaced person. In the Immigration Service the western office seriously considered his case, and recommended that he be allowed to apply for citizenship—his little 12-year-old daughter is left behind. She was in Hong Kong. There was no way at all to get her here. I talked with Immigration personally. I counseled with Church World Service personally. The only possible way was for him to complete his citizenship, and he could not do that without completing his residence, or having some special legislation in his favor enacted, which has not been possible yet. Meanwhile, the family is here—the man and his wife—the little 12-year-old daughter remains in Hong Kong. She cannot now be admitted, there is no way to secure a visa for her without special legislation to that effect.

Now, it would seem that our Congress ought to take account of such situations, and provide for the reuniting of war-torn families.

Whatever other necessities arise in the care of emergency situations, we realize that a policy must be a permanent one, and emergency measures must have a limit; that the whole pattern must be dealt with as a solid and permanent structure, and we think that this type of emergency legislation ought to be applied to the specific emergency limited, and when the situation is covered all emergency measures removed, so that a permanent policy can be applied. Now, we are happy about certain parts——

The CHAIRMAN. Are you recommending that we wait until after what you regard as emergencies are satisfied before a permanent policy be recommended?

Dr. WEIR. No. That is just what I am going to speak to now: that whatever action the Congress takes it ought to cover this situation as well as the permanent situation.

Now I want to deal with what we would say about a permanent policy: We do not wish to enter at all the legal and technical questions. But we would like to speak on a basic matter regarding the application of our ethical standards, and what we conceive to be our interpretation of American democracy. We are very happy about certain provisions of the McCarran Act which do remove the former restrictions on race, color, and such other nationalistic or racialistic limitations. We feel that this certainly ought to go into any permanent policy. I heard Dr. Smith make his statement on this point, and I am quite sure that he not only represents the Lutheran communion, but most of the Protestant communions when he says that the worth of citizens for citizenship should be judged upon personal qualities rather than upon national qualities or upon color, creed, or race.

Now the thing which we would like to recommend is that the old policy of national origins should be entirely eliminated from the legislation which is adopted by our Congress. We believe that the motivation behind the adoption of that policy, while theoretically justified, was not truly American, and that it sought to definitely limit certain peoples because of their national origin.

Within this general conception, we believe that the quota system, whatever it is, should be flexible, rigidities established here will have to be broken sooner or later by some method or other. If there is not an orderly process of breaking these rigidities, then there will be a silent process of breaking these rigidities, for the population problem is not only an old one, it is a present one, and it will be a future one. We believe that if a national quota is set, even for each particular country, it should be made on the basis of over-all populations, rather than upon a percentage of those already resident in this country of any particular nationality. And that if such a national quota system is set up, even covering specifically country by country, that it ought to be flexible enough to allow for assigning of unused quotas from one nation to those of another. Then the last thing I want to point out is that there ought to be a system set up for an orderly hearing for deportation proceedings, or visas, so that no element of arbitrariness enters into the disposal of these cases.

We believe that naturalized citizens should be treated as citizens, and that their cases should be decided in case of question exactly in the same manner as other citizens, natural-born citizens. This does not mean that we would minimize in any respect the importance of our

Government setting limitations, being careful about the admission of people who hold opinions, or who entertain plans inimical to the public welfare or to our own political way of life. It is perfectly natural, and, in fact, our churches seek to use intelligence as well as faith, and would want our Congress to be cautious and careful in all of these matters, so that persons given the high privilege and obligations of citizenship should do it for right motives, and should be worthy as persons of those obligations, and of those rights.

But, having judged that one is worthy of American citizenship, he ought not then to be constantly liable to attacks upon previous relationships now interpreted to make him an unworthy citizen, and he ought not to be treated as though he were not an American citizen.

These are the basic recommendations which we would like to make, and I feel that in speaking of them this morning I am representative of the majority opinion of the communions which I represent.

The CHAIRMAN. If I understand correctly, you proposed that the quota system should be flexible and that if a national quota is set, it should be on the basis of our over-all populations, rather than upon a percentage of those of any particular nationality in the country. We have heard many proposals, but we are also interested in hearing specific plans as to how they would be implemented. Can you be more specific?

Dr. WEIR. Well, now to be a little bit more specific. What we were concerned about in making this statement is not that there should be no recognition of the number of people of a given nationality, and that the quota system should not take into account the total number of Germans, Irish, or English available for immigration, but it should not, for example, be devised specifically to reduce to a practical minimum people from Asia or southern Europe, and surely the legislation coming out in 1924 and 1929 was intended for that purpose—to reduce to a practical minimum people from Asia, and southern Europe, and gave a definite preference. Now the theory was on the basis of the present number, but it was for the practical purpose of eliminating certain people from citizenship in our country.

That is what we want to overcome. We don't want to pose any idealistic problems which cannot be translated into practical legislation. But it would occur to me that a quota system could take into account the total population of any nationality on a percentage basis.

The CHAIRMAN. Thank you very much. We appreciate your coming here.

Is Rev. V. J. Waldron here?

STATEMENT OF REV. V. J. WALDRON, MINISTER OF THE EVANGELICAL BRETHREN CHURCH, LOS ANGELES, CALIF

Reverend WALDRON. I am Rev. V. J. Waldron, minister of the Evangelical Brethren Church, 245 East Sixty-sixth Street, Los Angeles, Calif.

The CHAIRMAN. You may proceed.

Reverend WALDRON. Mr. Chairman, and members of the Commission, and ladies and gentlemen, if I may, I would like to inject a note here that hitherto has not been presented. We were just hearing about a practical approach to this whole problem, and, also, we were

hearing Dr. Weir say something about the uselessness of an idealistic approach which could not be translated into practical legislation. But it seems to me when we come to a realization of the magnitude of this continuing problem, we might well undergird our thinking with something of a prayerful approach. Even the President in his veto message relative to the McCarran-Walter bill did quote the Holy Writ. So it seems to me that we might think in terms of something ideal, as we face up to this continuing problem so tremendous in its scope, and, possibly, the verdict of history indicates that idealism in the long run may be more practical than hard and rigid realism.

Therefore, I would like to emphasize this practical note: I came to a realization of this tremendous problem through a series of conferences with various personnel of the International Refugee Organization in Geneva last summer. We know that organization ceased to function as of December 31, 1951, continuing only a liaison committee to work with the United Nations and the United States for continued attention to what still remains the No. 1 problem of our world; namely, that of the tens of millions of displaced peoples all around our world. I take it that the Commission is attempting to gather a weight of public opinion, either on one side of the scale or the other, as they face up to this problem. Certainly, I appreciate this privilege of adding to the weight of public opinion on the side of generosity and also idealism. I am not afraid of that particular approach to this problem. I don't need to mention any statistics or figures—I am sure the Commission has volumes of information not accessible to most of us. Certainly, I am not fitted to go into any tactical or legal aspects of this proposition, but when I stop to think that Western Europe, even at this present moment, still has some 5,000,627 persons who cannot be placed; when we stop to think of Berlin, and I have an on-the-spot report from one who is there at the present moment, that there are more than 250,000 people in West Berlin at this time who are refugees; more than 300,000 there are unemployed; and when we stop to think that there are 500,000 fatherless and motherless boys and girls roaming the woods and the cities of Germany, and no one knows where these young people exist, and I am sure that all of us are aware that there is a similar situation existing in Japan at this present time.

So we are forced to the conclusion that the No. 1 problem of the world today still remains these millions upon millions of uprooted and displaced persons. Certainly, in the face of this problem the United States of America has a tremendous responsibility. Whether we like it or not, we are in the spotlight among nations, and those who have the more, of them will be required more. It seems to me we have to face up to that sort of thing, and, certainly, provisions made in 1924 are woefully inadequate for the situation of 1952. Therefore, certain things must be done, and I am sure that we can be assured that the Commission is working sincerely upon this proposition, but we dare not forget the responsibility that we, the people, have. We are here at this hearing today, but this should not be all: can we not face up to the challenge of continuing our interest and following through, and being aware, and being alert. Dr. Weir has suggested various recommendations. I had in mind to emphasize

these also, but to save time I don't need to—they have already been aired somewhat thoroughly.

Well, let me close with these remarks: Certainly, we feel a responsibility to protect our own best national interest. That is right. We should do that. But are we aware of the fact that there is such a thing as self-interest per se, and there is also such a thing as enlightened self-interest: that in these days we must step up our counteraction against that great heresy that threatens to engulf our world; namely, the Soviet. Are we not in the midst of a terrific unbalance? Certainly, we need a balance of power if we face realistically the situation. But even if a small, increasing percentage of the bills expanded would go into this item of dealing with this No. 1 problem, and somehow bringing a measure of stability and security to people around our world who are the children of the Almighty entitled to their dignity and level of respect in our world, would not that be an investment tremendously worth while, and possibly more in our self-interest than the purely realistic or practical approach? "I was hungry and you gave me food; I was thirsty and you gave me drink; I was a stranger and you welcomed me"—that has not lost its validity; neither has the inscription upon our Statue of Liberty: "Give me your tired, your poor, your huddled masses yearning to breathe free." May God help us, and may all of us continue prayerfully our interests with the Commission in facing up to this problem. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much.

Mr. C. Y. Hong, you are next on the schedule.

STATEMENT OF C. Y. HONG, PRESIDENT, GRAND LODGE, CHINESE AMERICAN CITIZENS ALLIANCE

Mr. HONG. I am C. Y. Hong, president of the Grand Lodge, Chinese American Citizens Alliance, 1044 Stockton Street, San Francisco, Calif., which is the organization I am representing here. My address is 1045 South Gramercy Place, Los Angeles.

I have a prepared statement, which I will read to save time.

The CHAIRMAN. We will be pleased to hear it.

Mr. HONG. As an organization of American citizens of Chinese descent, we are always interested in the consequences which might be reached through the enactment and administration of new immigration and nationality laws upon our rights and privileges of citizenship. American citizens, either born abroad or residing in foreign countries, are subject to the administrative processes of our consular service and immigration authorities before they can enter or reenter their own country. In that connection, we believe that our Government's first duty is to its own citizens, and that it is wrong to place any unnecessary, oppressive restrictions on them in the guise of regulating immigration.

We do realize that some hardships were unintentional and, upon discovery, would be eventually rectified. We also appreciate that all legislative reforms must necessarily be evolutionary. Congress has yet to pass an ideal or perfect statute, and for that reason we adopt amendments from time to time. With unfaltering faith, we believe our legislators will not hesitate to right any known injustice. It may

take a long time for them to do so, but past events have repeatedly justified this belief.

Public Law No. 414, or the McCarran-Walter Act, as finally adopted by our Eighty-second Congress on June 27, 1952, for the purpose of revising our laws relating to immigration, naturalization, and nationality, and to remove certain racial barriers in connection therewith, will not go into operation until December 24, 1952. We cannot, therefore, get a complete picture of the ultimate effects until quite some time thereafter. Much, of course, will depend upon its interpretation and administration by the various Government agencies empowered to enforce its provisions. One of the important improvements over the existing law, from an American citizen's standpoint, is its recognition and final extension of the doctrine of family unity to all American citizens, regardless of race or ancestry, by granting nonquota privileges to their spouses and minor alien children under section 101. Racial barriers in naturalization are totally removed. The theory of nativity as the determining factor in the granting of immigration visas is still denied to persons of oriental stock, and it is sincerely hoped that this last vestige of racial discrimination will soon be removed by some reasonable plan to be formulated by our Congress.

On the other hand, section 360 of the new act requires immediate attention and amendment because it constitutes an inexcusable discrimination against our own American citizens. Under subdivision (a) of that section, if any person who is within the United States claims a right or privilege as a national of the United States and is denied such a right or privilege by any administrative department or independent agency, or official thereof, upon the ground that he is not a national of the United States, such person may institute an action under the provisions of section 2201 of title 28, United States Code, against the head of such department or independent agency for a judgment declaring him to be a national of the United States. This judicial review is, however, denied to American citizens residing abroad. Such a denial violates our fundamental American legal concept that a citizen of the United States, wheresoever located, shall have the right to have his status as such determined judicially and to come to the United States for that purpose.

Under section 503 of the existing Immigration Act of 1940, foreign-born American citizens, who were denied passports or travel documents to join their parents in the United States by the American consul, may institute a similar judicial proceeding. Section 201 of our present Nationality Act provides that a person born outside of the United States and its outlying possessions of American parentage is an American citizen at birth. This is substantially the same under section 301 of our new law. To grant an executive officer, like the American consul, the absolute power to refuse such American citizens even an opportunity to come to the United States to prove their nationality before our courts in the United States is certainly contrary to all sense of justice.

It is our sincere belief and contention that every person is entitled to have his day in court, and particularly, when a question of citizenship is involved, for the following reasons:

(1) It is unfair to grant to one group of American citizens the right to judicial review and deny it to another group on the ground of di-

versity of residence. As a matter of fact, the citizen, who is not within the United States, is more helpless in defending his rights, and should be accorded greater protection and assistance. To withhold from him this right is to ignore the spirit of our Federal Constitution forbidding denial to our citizens equal protection of the law.

(2) Administrative officers and agencies should have no reason to fear a judicial review of their decisions if their decisions were fair and based upon competent evidence. Applications rejected on mere suspicion, rumor, or prejudice have no place in our democratic system of government. We must never let such arbitrary and unreasonable decisions go unchallenged.

(3) In permitting such an American citizen his day in court, the provision only grants him an opportunity for a full and fair hearing on his claim to American nationality. It does not insure his admission. Failure to prove his case by substantial and competent evidence before our courts requires his departure from this country at his own expense.

(4) Among the primary safeguards of our American way of life is the doctrine of official responsibility, the principle that government officials are servants and not masters, and that it is more important for the people to scrutinize the conduct of officials than it is for officials to scrutinize the lives of the people. From this it follows that some form of judicial protection should always be open to the victims of injustice, even if the injustice is committed by persons in high and powerful positions.

(5) The mischief and oppression resulting from the provisions in section 360 of the new immigration act in withholding the right of judicial intervention from our citizens, who were born and residing abroad, are not only applicable to citizens of Chinese descent. Actually, the discrimination therein affects American citizens of every racial group.

We, therefore, respectfully urge that the right of judicial review and judicial determination of nationality and citizenship as provided in section 360 (a) of the new act be also extended to those American citizens, who are residing outside of the United States and are seeking for entry to their own country.

From a legislative point of view, the repeal of the Chinese Exclusion Acts on December 17, 1943, was a most important landmark in the history of our immigration policy toward the Chinese people. It reversed for the first time a discriminatory policy which had been inscribed in our laws since 1880. President Franklin D. Roosevelt called it a historic mistake, and our Congress overwhelmingly expunged these obsolete laws from our statute books. Such an action on the part of the United States was consistent with our declaration of democratic principles and added to our prestige of world leadership.

It is regretted, however, that from an administrative standpoint, our executive department has not kept in step in this respect with our legislative branch of the Government. Our State Department and our consular service, have special rules and regulations in their conduct of Chinese matters, none of which are applied to persons of other racial ancestry. Many of them are just as oppressive as those used in the days of Chinese exclusion.

When an American citizen of Chinese descent seeks a travel document to the United States in order to establish his citizenship at a port of entry he must produce "conclusive" proof of his identity. Even the unimpeached testimony of his own mother has been often considered as insufficient. He must also produce old family correspondences, family group photographs and remittance receipts, and failure to have the foresight of keeping such mementos in anticipation of future requirements of the consulate is considered as adverse to his cause. Not only the applicant and his parents, but also the other members of his family must submit to blood-grouping tests. We contend that it is the duty of executive officers to administer the laws of Congress fairly and freely as they find them, whether they agree with the policy or purpose of such laws or not. Today, we no longer recognize the old Chinese exclusion laws, but we do have Chinese exclusion rules and regulations, and, under our prevailing system of administrative procedure, they have the force and effect of law in their application.

We, therefore, respectfully urge an immediate change-over of our present administrative policy to conform with our legislative policy of fair and reasonable treatment of our citizens of Chinese descent. We likewise urge our executive officers not to ignore our judicial policy as stated by our United States Supreme Court in the case of *Kwock Jan Fat* v. *White* (253 U. S. 455, 464), which reads as follows:

> The act of Congress gave great power to the Secretary of Labor over Chinese immigrants and persons of Chinese descent. *It is a power to be administered, not arbitrarily and secretly, but fairly and openly, under the restraints of the tradition and principles of free government applicable where the fundamental rights of men are involved, regardless of their origin or race.* It is the province of the courts, in proceedings for review, within the limits amply defined in the cases cited, to prevent abuse of this extraordinary power, and this is possible only when a full record is preserved of the essentials on which the executive officers proceed to judgment. For failure to preserve such a record for the information, not less of the Commission of Immigration and of the Secretary of Labor than of the courts, the judgment in this case must be reversed. *It is better that many Chinese immigrants should be improperly admitted than that one natural-born citizen of the United States should be permanently excluded from this country.* [Emphasis ours.]

The CHAIRMAN. Thank you.

Is Mr. Edward H. Gibbons here?

STATEMENT OF EDWARD H. GIBBONS, REPRESENTING THE LOS ANGELES CONFERENCE OF CIVIC ORGANIZATIONS

Mr. GIBBONS. I am Edward H. Gibbons and I appear as a representative of the Los Angeles Conference of Civic Organizations. I might explain to the Commission that this conference is a caucus of veterans of patriotic and historical authorities, which has been actively chartered in the State of California as an education group, has been active in the field of antisubversive work, especially supporting antisubversive legislation in this State since 1948.

I might say to the Commission that the same identical people are members of a political committee now active in the State, now known as Californians for Five and Six which are two antisubversive measures on the ballot in our local election, and I will submit to the reporter the list of the officers of this group, and I have a copy of our

August monthly publication Alert[1] for the Commission. I would like to read an excerpt from page 85 of that issue:

(The excerpt read by Mr. Edward H. Gibbons follows:)

The ubiquitous American Civil Liberties Union also has leaped into the campaign, which is not surprising, since its recently appointed southern California director, Prof. Eason Monroe, also is the chairman of the Red-front Federation for Repeal of the Levering Act.

This federation is an interesting outfit. Its letterhead discloses that many of its openly avowed sponsors are professors and clerics from outside of California, who have joined this Red front to try to tell Californians how to run their affairs.

The front has State headquarters at 435 Duboce Street, San Francisco 17, Calif., telephone, UNderhill 3-2464. Its officers are: Eason Monroe, chairman; Ethelyn Sellinger, vice chairman; Barbara Epstein, secretary; Elizabeth Coyle, treasurer.

Its southern division is located at 3150 West Sixth Street, Los Angeles 5, Calif., telephone, DUnkirk 9-0306.

The sponsor list on its letterhead cited the following individuals, most of whose names will be found in the indexes to congressional and legislative committee reports as cited in Communist activity as speakers, sponsors, donors, officers, members, and joiners in Red-front causes, denunciations, and agitations; Stringfellow Bar, Rev. Hamilton T. Boswell, Dr. Daniel A. Collins, Dr. J. Raymond Cope, Albert Deutsch, Josephine Duveneck, Prof. Thomas I. Emerson, Prof. Erik Erikson, Rabbi Alvin I. Fine, Prof. Roma Gans, Prof. H. H. Giles, Prof. Robert J. Havighurst, Prof. Robert Morss Lovett, Prof. Robert S. Lynd, Prof. Alexander Meiklejohn, Prof. Ernest O. Meyby, Rev. Harry C. Meserve, Rev. Robert W. Moon, Prof. Max Otto, Prof. Harry A. Overstreet, Bishop Edward L. Parsons, Dr. John P. Peters, Clarence E. Pickett, Dr. Norman Reider, Prof. R. Nevitt Sanford, Prof. Lewis M. Terman, Stephen Thiermann, Rev. Howard Thurman, Annie Clo Watson.[2]

Mr. GIBBONS. I want to state clearly for the record that I do not have authority to speak for the American Legion, for American Veterans of Foreign Wars, whose leaders are part of this group, but I believe that I have instructions adequately handed to me to represent their position, and I want to say that I have no comment to make or discussion whatsoever on the quota phases of this bill. I mean I would not dare to talk for these organizations, some of whom have varying views upon it.

Our position is that we are interested in the problem of subversive activity as it bears upon this bill, and especially the revisions against the invasion of this country by Communists and the retention in this country of people who are Communists, and I would like to cite to the Commission a couple of instances, and ask permission if any Communist or fellow-traveler groups enter anything into the record that we may be able to submit briefs countering it. I would like to call attention of the Commission to the fact that we have in the city of Los Angeles a man named Frank Spector, who is a Comintern agent, who was ordered deported from this country 20 years ago. We have in the State of California one of the most destructive and evil of men, whose influence is well-known, Mr. Harry Bridges, and we have been trying to deport him for 20 years. We have a gentleman who just appeared in this very building several weeks ago before the congressional committee—well, several months ago—and refused to testify under oath whether or not he is a member of the Communist Party. His name is Reuben Shipe; he was a radio writer doing

[1] Alert, a journal of facts and ideas to fight for freedom, August 1952.
[2] Alert, vol. 6, No. 3, p. 85, 127 South Broadway, Los Angeles 12, Calif.

very well in this country. He made no attempt to become a citizen and immigration proceedings have just been filed against him.

I would like for the record also to show that there has been a considerable complaint by police and intelligence agencies about the situation in immigration, the looseness and laxity on it, and it is the opinion of most of the groups that we represent that Senator McCarran and Congressman Walter, who are very able legislators in this particular field, have made a notable contribution to our country in its defense from this subversive activity, and we feel that these measures should be retained, and strengthened, and it is our hope that the Commission, regardless of any of the propaganda—I have here the People's World, the Communist local group—which is, of course, incidentally, not discussing much of this quota argument that will be debated by all of the other witnesses, but continually attacks the McCarran-Walter Act as a hysterical, war-mongering persecution of the liberals and all the standard Communist phony defenses.

Another thing that I think the Commission should bear in mind is that we have a revolting individual named Charlie Chaplin, whom our able new Attorney General has gotten around to, and I don't think anybody is in doubt about Mr. Chaplin's record, and his horrible moral character, which has caused the Attorney General to take a position that maybe he should be excluded from the country, and it is a known fact that there is a record going back to 1909 of Mr. Chaplin's participation in Communist fronts and causes. I cite all those because they are very familiar to the committee. But we feel that if there is any attempt made by any organization to sabotage the antisubversive provision of this bill that the responsible organizations in the community want an opportunity to file briefs supporting the retention of the bill, and that is the only thing I came to talk about, Mr. Chairman, and I will submit for the committee copies of our group.

Thank you very much.

(The hearing was moved from courtroom 9 to courtroom 10 at this time to provide more space, and continued as follows:)

The CHAIRMAN. Rev. Steven Fritchman, you are the next witness.

STATEMENT OF REV. STEVEN FRITCHMAN, REPRESENTING THE FIRST UNITARIAN CHURCH OF LOS ANGELES

Reverend FRITCHMAN. I am Rev. Steven Fritchman, representing the First Unitarian Church of Los Angeles, 2936 West State Street, Los Angeles.

I simply want to add my word to that of many others that I feel the McCarran-Walter bill is not to the national interest of our country; that it seems to me inconsistent with the best in our American traditions of toleration and freedom for all types of people coming to our shores and sharing in the making of our country. It seems to me from the time of Tom Paine and Lafayette, who were aliens, that we have had a basic policy of hospitality toward the alien, and today, especially, with increased emphasis on the one-world concept that we must not have the discrimination toward the Asian peoples, that has too often marked the effort to pass this type of legislation. I think it is inimical to the democratic ideal that we, as Americans, cherish. I

want, therefore, to add not only my own protest against this bill, but to say it represents the thinking and expressed statements of many members of the church that I represent, both locally and nationally, and I want to add my voice to that.

The CHAIRMAN. Thank you very much.

Is Dr. Robert Ziegler here?

STATEMENT OF ROBERT ZIEGLER, REPRESENTING THE AMERICAN LEGION

Mr. ZIEGLER. I represent, I believe, the American Legion. However, I am in a rather difficult position. I represent both the American Legion, and I am an executive in the American Federation of Labor, and I have been a member of the Governor's Advisory Commission on Displaced Persons for the past 4 years.

I wasn't notified about this until late yesterday, and had too little information on the bill other than as a member of the American Legion, and I will have to report that at a recent convention in New York, which I attended, the American Legion completely endorsed the act, primarily because of the fact that the American Legion believes that however much we desire the immigration of people from all over the world, the American Legion believes that a very careful and thorough screening by any of the people that are to come to this country should take place prior to their entrance into the country, and, therefore, the American Legion officially endorses the act.

The CHAIRMAN. Are you referring to the McCarran-Walter Act, Public Law 414?

Dr. ZIEGLER. Yes, the McCarran-Walter bill; it is Public Law 414.

I was duly informed about the thing, and was supposed to talk with regard to the American Legion.

The CHAIRMAN. Is that the act that has been endorsed by the American Legion, by a resolution you said?

Dr. ZIEGLER. Yes; by mandate at the convention. Then, I might state at this time that officially the American Federation of Labor was originally against the act for certain reasons, which are not too well-known to me. However, it soft-pedaled its attitude to it when it became known that the act was used by a good many subversive groups as an instrument to further their own interests.

The CHAIRMAN. You don't mean the act?

Dr. ZIEGLER. I mean the intent of the act.

The CHAIRMAN. No; I think you have got it wrong. The act wasn't used by subversive groups—the act was intended to protect against subversive groups.

Dr. ZIEGLER. Yes; that's the reason it was opposed by the subversive groups.

The CHAIRMAN. That's different.

Dr. ZIEGLER. And the American Federation of Labor felt that the subversive groups would use the arguments——

Commissioner O'GRADY. Is that a proper interpretation of the resolution passed by the American Legion in New York?

The CHAIRMAN. Monsignor O'Grady wants to know whether that was a proper interpretation of the resolution passed by the American Federation of Labor. Have you read the resolution?

Dr. ZIEGLER. I have been given to understand that the American Federation of Labor originally endorsed the act and was against the act.

The CHAIRMAN. What do you mean you were "given to understand"? Did you read it?

Dr. ZIEGLER. The resolution?

Commissioner O'GRADY. The resolution at the recent convention in New York.

The CHAIRMAN. Did you read the resolution?

Dr. ZIEGLER. Well, I saw the headlines in official papers—the American Federation's official paper.

The CHAIRMAN. Did you read the resolution?

Dr. ZIEGLER. No; I did not.

The CHAIRMAN. You never have read it?

Dr. ZIEGLER. I did not.

The CHAIRMAN. Is there anything else you want to say?

Dr. ZIEGLER. I don't believe so.

The CHAIRMAN. Thank you.

Are Reverend O'Dwyer and Reverend Lani here?

JOINT STATEMENT OF REV. THOMAS O'DWYER AND REV. MATHIAS LANI, REPRESENTING THE CATHOLIC RESETTLEMENT COMMITTEE, ARCHDIOCESE OF LOS ANGELES

Reverend O'DWYER. I am here this morning, Mr. Chairman, and members of the Commission, as the director of the Catholic resettlement committee of the archdiocese of Los Angeles, 407 Chicago Street, Los Angeles. I am the secretary and treasurer of this committee.

Rev. Mathias Lani, our executive secretary, is also with me this morning, and together we have prepared a statement, and these few suggestions for the members of the Commission, and with your permission I shall read it. Mr. Chairman, we have had 5 years with other organizations in the securing of sponsors and securing employment and the placement of displaced persons, and so, as a result of our experiences, I wish to read our statement.

The CHAIRMAN. We will be pleased to hear it.

Reverend O'DWYER. The Displaced Persons Act has been a political and economical necessity. The inroads made by communism in the present communistic dominated countries has displaced millions of substantially well-situated people and put them on the economy of the occupied forces and native population of Austria, Germany, and Italy. The United States Government has taken leadership in solving the economic, as well as the human problem, and followed the great example of other nations in absorbing as many as the country's economy would justify.

The Displaced Persons Act has solved only a small portion of the problem and because of its limitations, the law did not accomplish its purpose entirely.

1. While in the preliminaries of the displaced persons law, it is stated that no discrimination could be made, the subsequent paragraphs proved the contrary. The human element in the administration made this discrimination still more conspicuous. Furthermore, the purpose of the law was to keep families united. In the practical solution, many

families who had been separated on account of slave labor and deportation for years, then happily united in the occupational zones, were separated again and part of the family is now in the United States; the other part still remaining in the pipeline of immigrational processing. Children—grown-up sons and daughters, who assumed the responsibility for their elderly parents—applied for immigration together, but were left in Europe, while their helpless parents received immigration visas; and vice versa, children had to leave old parents behind in Europe.

2. In our activity in the resettlement work, we did not encounter any difficulty in placing the new arrivals in jobs for which they were trained. In spite of language difficulties, about 95 percent of the displaced persons have utilized their training to the advantage of the plant or factory where they were hired to do work. There is still a vital need in many professional fields and a great number is still needed to do these jobs.

3. The constant threat to the freedom and liberty of our country is and will continue to be communism. We are looking daily for people who joined the forces of freedom and reliable, vigorous fighters against communism. Almost 100 percent of the displaced persons have felt the whip of communism on their own backs and the mute graves of starved, innocently executed people are resting heavily on their minds, prompting them to do everything in their power to stop persecution and slavery, which spells communism.

4. The inadequate immigration laws of 1924 caused humanists to readjust these inadequacies, attempting to find a more just and workable solution for immigration problems. But instead of rectifying injustices and broadening immigration, extending it to overpopulated areas, it became even more restrictive and discriminatory than the law of 1924. Certain areas of the world are given preferences and others are practically prevented from immigration. Therefore, the discrimination in the law is obvious in our judgment.

It is a Hitlerian idea to hand-pick certain nations as superior to others and to overestimate their desirability, while other nations are looked upon as inferior races. Though the Displaced Persons Act permitted over 20 different races to enter this country, it has been proven definitely that there is no such thing as inferior races—not in skills and not in good moral character.

Therefore, it is the unanimous opinion of those who have served on our committee for immigration that—

(*a*) A temporary (established time limit) new displaced persons law should be enacted, processing those cases which were left in the pipeline, giving an opportunity to the new legal residents to be reunited with their families.

(*b*) An affidavit of support signed by an American citizen, guaranteeing the 5 years of not becoming a public charge, constitutes an insurmountable obstacle for these newcomers, not in 6 or 8 months, or even a year or two is there sufficient time to accumulate enough finances which would be accepted by the American consuls abroad.

(*c*) In order to solve this problem, statements from legal resident aliens in favor of their blood relatives should be sufficient for their immigration as a guaranty of not becoming a public charge. It is not the amount of property or the bank accounts, but the working ability and earning power should be the determining factors. Even if a bond

in an established amount should be posted under favorable conditions, the interest on this bond should be paid by the relatives here for the 5-year period.

(*d*) The allocation of quotas not used, should be extended to those countries which are in urgent need of the emigration, giving preference again to those who have already relatives or friends with established residence in this country.

Reverend O'Dwyer. And just to sum up then, and to repeat what has been said by leaders throughout the country and leaders of the National Catholic Welfare Conference, and the resettlement committees, it is our suggestion that suggested laws and proposed measures are discriminatory toward certain nationality groups. Secondly, requirements for eligibility to enter this country and the process of deportation should be tempered. Thirdly, unused quotas of a particular year should not be lost but distributed to other nationals where the need is greatest. The hope has been expressed time and again that another formula might be involved to replace the present national origins formula which always has carried the stigma of discrimination against the people of Southern and Eastern Europe, and it is our hope, Mr. Chairman, and members of the Commission, that these suggestions will be kept in mind in presenting your report, and in framing legislation which we deem to be necessary for a proper solution of this world-wide problem, and we express our thanks for the opportunity to present these suggestions. The executive secretary of our organization, Father Lani, has spent many months in Europe in visiting these camps, and will be glad to answer any questions.

The Chairman. I would like to ask one question—I will ask it of you or Father Lani, whichever wants to answer it: If you have been here any time this morning, you would have noticed that the Commission has heard testimony, and certainly from conscientious people, that the McCarran Act containing the provisions that you have criticized is nevertheless a proper piece of legislation to have been passed when it was passed because it contains provisions that are designed to limit the activities, and the opportunities of subversives. Now, I take it, you are just as interested in stamping out subversive activities in this country, and also preventing any subversive persons from reaching these shores, and yet you tell us that the same act is detrimental to the United States because it contains the discriminations that you have described.

Now, what would you have the Commission do in the light of the fact that persons who agree as to the end to be reached, differ as to whether the legislation that contains the provisions that have been discussed is in the best interests of the United States, or is detrimental to the United States?

Reverend O'Dwyer. We feel, Mr. Chairman, and members of the Commission, that the McCarran Act was modeled largely upon the laws of 1924, and 1929, and in view of world situations as they are at this hour, I believe that another formula, a better formula in keeping with the spirit of our American way of life, and our American democracy could be evolved. We feel that the Commission, and members of the staff of the Commission, have legal knowledge, and the technical knowledge to devise a formula which would give consideration on a fair and equitable basis to many countries that have apparently been

overlooked here entirely, and have very little opportunity under the present act to press—those nations who come to our country. There must be some way that things formerly established could be revamped and revised, and we feel there should be no let-up in observing the requirements for health, security, and education, and so forth, and other requirements that are already in the immigration laws of our country. But some method must be devised whereby the peoples of other nationalities, especially in the Southern European countries, should be given a fairer treatment than can be given under the present act.

The CHAIRMAN. Are you saying, then, that both ends can be accomplished?

Reverend O'DWYER. Well, in our opinion, they can be accomplished—necessary safeguards can be maintained as they are at the present time, but at the same time the quota basis, the formulas for determining the number that should come from any one country in any one year can be and should be revised, and we feel that it is legally and technically and otherwise possible to do that.

The CHAIRMAN. Thank you very much.

Is Mr. Kushida here?

STATEMENT OF TATA KUSHIDA, REGIONAL DIRECTOR OF THE JAPANESE-AMERICAN CITIZENS LEAGUE

Mr. KUSHIDA. I am Tata Kushida, regional director of the Japanese-American Citizens League.

Mr. Chairman and members of the Commission: I want first of all to thank you for the opportunity to testify briefly. I would also like to say that I am not an attorney. I am representing an organization which is part of a national organization—17 chapters in the Pacific Northwest—of American citizens of Japanese ancestry. There are 17 chapters in Arizona and southern California.

Without commenting on the desirability of codification, which we believe is good, I would like to say that this bill is of great significance to persons of Japanese ancestry because for the first time——

The CHAIRMAN. When you say "this bill" you mean——

Mr. KUSHIDA. Public Law 414, the Walter-McCarran omnibus bill.

This bill for the first time limits racial restrictions in our immigration and naturalization laws so that its effect has to be to emancipate our people from the stigma of ineligibility and inadmissibility, and in addition it has had the effect of eliminating or invalidating the effect of alien land laws in some 10 western States. You gentlemen may know something of our background.

We were evacuated by the Army in 1942 and when we were permitted to return our self-sustaining economy was disturbed to the point that for the first time our people have had to rely on public assistance. But because they were ineligible for citizenship they could not apply for California State old-age pensions, to which they are now eligible. So we feel that that has been a substantial assistance to our group. In our 48 States there are some 500 laws which restrict aliens from entering certain occupations and professions, which has been a handicap to our people, but that has also been eliminated.

We feel too that in foreign relations the enactment of this bill has had a very salutary effect for America, particularly in the Orient and especially in Japan. We know that there is very good feeling in Japan because the fundamental cause of Pearl Harbor, the 1924 exclusion law, has been repealed by this Public Law 414.

While this is an omnibus bill and not a perfect piece of legislation, we know that good legislation is evolutionary and we feel this is definitely a step in the right direction.

We would like to see further liberalizations of this bill in keeping with the internal and external security of the United States. We recall that Emanuel Celler, the chairman of the Judiciary Committee of the House, in the last page of the House report accompanying this bill stated that without doubt this is an improvement over existing law. And if there is any way in which the law can be further liberalized we would like to see the liberalizations extended in keeping with security and in fairness to all groups.

The CHAIRMAN. Thank you. Is Mr. Sheffield here?

STATEMENT OF JOHN F. SHEFFIELD, ACCOMPANIED BY MANUEL V. AVILA, REPRESENTING THE CONFEDERATION OF MEXICAN CHAMBERS OF COMMERCE OF THE UNITED STATES OF AMERICA

Mr. SHEFFIELD. I am John F. Sheffield, attorney at law, 412 West Sixth Street, Los Angeles, and am accompanied by Manuel J. Avila, 1230 West Second Street, Los Angeles, also an attorney. We represent the Confederation of Mexican Chambers of Commerce of the United States of America.

The confederation has requested us to prepare and submit a statement for the record. Our complaint particularly is directed to section 244, subsection b, and especially to the last sentence of that section which makes an arbitrary and a disadvantageous discrimination against those aliens and citizens of Mexico. I think that in view of the fact that the United States has a boundary of about 3,000 miles which is wholly undefended on the south with Mexico, it is incumbent upon the United States to display an understanding of problems with our neighbor republic to the south.

I might say that the section to which particular objection is made by the persons of Latin descent in the United States reads as follows:

> The provisions of the subsection relating to the granting of suspension of deportation shall not be applicable to any alien who is a native of any country contiguous to the United States or of any adjacent island.

Obviously, that refers to Mexico and at least the Mexican population in the United States. I have so construed it. And they have considered that as somewhat of an affront to them and for that reason it is not for the best interests of the United States.

In due deference to the committee and the persons and organizations who originally were responsible for the inclusion of this provision in Public Law 414, it was argued at that time that the proper visas could be readily obtained at an American consulate at the border; that is, Mexican territory. Actually, in practice any citizen of Mexico who is required to go to the border or to the American consulate in Mexico suffers just as great a hardship as any other person who is required to get an immigration visa or who comes within the provision

of the law by which he may obtain suspension of deportation. Likewise, any alien whether he be a citizen of Mexico or any other country can go to the nearest American consulate and obtain a visa, so why segregate and separate those citizens of Mexico and make them ineligible for obtaining suspension when actually they would suffer just as much? They have their homes. They have their families. They have their economic life that is being disrupted just as much as any other alien and the hardship is just as serious to them.

If I may, I would like to submit our prepared statement for the record.

The CHAIRMAN. Thank you. We will put it into the record at this time.

(The statement submitted by Mr. John F. Sheffield follows:)

CONFEDERATION OF MEXICAN CHAMBERS OF
COMMERCE OF THE UNITED STATES OF AMERICA,
Corpus Christi, Tex., October 15, 1952.

JOINT COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY,
Los Angeles, Calif.

GENTLEMEN: Relative to Public Law 414, popularly known as the McCarran Act, which purports to revise the immigration and nationality laws, we wish to present for your consideration objections which we consider inimical to the interests of our members and which likewise appear to be unjust and detrimental to the best interests of the United States.

Your attention is called to the provisions of section 244 (b) of Public Law 414 and particularly to the proviso section, which is the last sentence of subsection (b).

Under section 244 of this law a national of any other country in the world who finds himself in the United States illegally and who qualifies for the discretionary relief of suspension of deportation is permitted to receive that relief in the discretion of the Attorney General, except * * * "any alien who is a native of any country contiguous to the United States * * *"

There can be no doubt in any member's mind and it is certainly the feeling and belief in the Mexican-American colony that this section is a direct affront to our neighbor Republic, Mexico. This section of the law places nationals of Mexico in a category less favorable than that of any other material in the world.

There is a tremendous amount of feeling in the Mexican colonies throughout the United States against this provision of law. They believe that this law constitutes a direct insult to the nationals of Mexico and to the Republic of Mexico.

We in the United States are fortunate in having a friendly, cooperative neighbor Republic to the South. There exists an international border between Mexico and the United States approximately 3,000 miles in length which is completely undefended. It is incumbent upon the United States to maintain and encourage friendly relations with Mexico and the repeal of this obnoxious section would demonstrate to the Mexican people the esteem and affection in which we hold them.

In due deference to the committee and persons and organizations who are responsible for the inclusion of this objectionable provision of the law into Public Law 414, it was argued by these groups that the reason for putting this proviso in section 244 (b) of the law was that nationals of Mexico could readily obtain immigration visas at the border.

Such a supposition is false for two reasons: First, if nationals in Mexico could readily obtain a visa at the border then so could nationals of any other country obtain such a visa at the American border. Second, this argument is false for the additional reason that the hardship would be just as great to a national of Mexico as it would be to a national of any other country to have to go to the nearest American consulate outside of the United States for the purpose of securing an immigration visa.

Nationals of Mexico who might otherwise qualify for discretionary relief under section 244 (a) of Public Law 414 would suffer just as great a hardship by having to go to the nearest American consulate outside of the United States as would the nationals of any other country. There are many nationals of Mexico residing

as far away as 3,000 miles from the nearest American consulate in the Republic of Mexico. There are many Mexican nationals residing in the New England States, in New York and in the northwest portions of the United States. Technically, of course, it is even a greater hardship if the American consulates are going to insist that these Mexican nationals go to the American consulate nearest the place of their birth, which is the present State Department regulation. It is not only conceivable but it is a frequent occurrence that Mexican nationals residing in the United States come from the central and southern parts of Mexico.

The Mexican nationals who would thus be affected by departing from the United States for the purpose of adjusting their immigration status in many instances have established their homes in the United States, have American-born wives or husbands, and American-born children. In many instances these same Mexican nationals or their children have served long and honorably in the Armed Forces of the United States.

The foregoing being so, it is obvious that the special category created by the proviso which is the last sentence of section 244 (b) of Public Law 414, is arbitrary, unfair, and unjust.

Considering the effect of the discrimination created by this section adverse to the nationals of Mexico, it must be pointed out that little more than 100 years ago, an area which constitutes approximately one-third of the physical area of the United States was Mexican territory. Many of the traditions, customs, and private laws in force in States within that area have their basic origin in the history of Mexico. The population in the Los Angeles area which can trace its lineage direct to Mexico comprises approximately 1 million people. Los Angeles is considered the second largest Mexican city in the world. The entire population of the United States which is of Mexican derivation probably comprises 20 million people. It can be readily seen that this provision in Public Law 414 adversely affects a great many American citizens and through that medium causes the deterioration and disintegration of friendly relations between the United States and the Republic of Mexico.

By reason of the foregoing it is respectfully requested that the honorable committee delete the following portion of subsection (b) of section 244 of Public Law 414:

" * * * The provisions of this subsection relating to the granting of suspension of deportation shall not be applicable to any alien who is a native of any country contiguous to the United States or of any adjacent island, unless he establishes to the satisfaction of the Attorney General that he is ineligible to obtain a nonquota immigrant visa * * *."

This modification in the law should be made because it is an arbitrary and unnatural condition in Public Law 414. The category which it creates claiming to be based upon the facility of obtaining immigration visas for persons in this category is based on a false premise and in effect creates hardships which the purpose of the law is supposed to alleviate. This section should be deleted for the additional reason that it will tend to create friction, animosity, and undesirable relations with an otherwise friendly neighbor Republic.

Respectfully yours,

CONFEDERATION OF MEXICAN CHAMBERS
OF COMMERCE OF THE UNITED STATES,
By ARMANDO G. TOMEZ,
Vice President and Chairman of the Legislative Committee.

LOS ANGELES, CALIF., *October 15, 1952.*

COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY,
Los Angeles, Calif.

GENTLEMEN: As a member of the bar the attention of the committee is called to the following language which is found in section 103 (a) of Public Law 414.

"Determination and ruling by the Attorney General with respect to all questions to laws shall be controlling—he is authorized—to appoint such employees of the service as he deems necessary, and to delegate to them or to any officer or employee of the Department of Justice in his discretion, any of the duties and powers imposed upon him in this act * * *. He is authorized to confer or impose upon employees of the United States * * * any of the powers, privi-

leges, or duties conferred or imposed by this act or regulation issued thereunder, upon officers or employees of the service."

The effect of the foregoing language in section 103 (a) of the law is such as to make it possible for a clerk, novice, or any inferior employee of the United States Government to qualify to pass upon matters of law which may be very involved and affect the substantial rights of an American citizen. Bear in mind, Public Law 414 provides for many things other than immigration of aliens. Citizens of the United States who are traveling abroad are within the provisions of this law when they attempt to reenter the United States. It is not only possible but it is happening frequently that immigration officers are compelled to determine the citizenship of an American entering the United States.

Do you want your American citizenship determined by a person inexperienced in the law?

This provision in the law makes you subject to such determination. This provision of the law in section 103 (a) of Public Law 414 makes it possible for any employee of the United States Government to make a determination on any matter arising under this law.

It is respectfully submitted that section 103 (a) of Public Law 414 should be amended so as to provide for judicial officers and persons learned in the law to make determinations of questions of law.

It is likewise respectfully requested and urged that the immigration law provide that in all judicial or quasi judicial proceedings involving hearings on status, deportability, qualification for discretionary relief, right to admission into the United States of America, citizens, where questions of law are involved that the rules of evidence and testimony be the same as in any other judicial proceeding.

Respectfully submitted.

[Signed] JOHN F. SHEFFIELD.

The CHAIRMAN. Is Mr. John Despol here?

STATEMENT OF JOHN DESPOL, SECRETARY-TREASURER OF THE CALIFORNIA COUNCIL AND EXECUTIVE SECRETARY OF THE CIO CALIFORNIA INDUSTRIAL UNION COUNCIL

Mr. DESPOL. I am John Despol, secretary-treasurer of the California Council and executive secretary of the CIO California Industrial Union Council, which I represent here.

I have a prepared statement I wish to read.

The CHAIRMAN. You may do so.

Mr. DESPOL. The CIO California Industrial Union Council represents approximately 200 CIO unions in all parts of the State and 150,000 CIO members in California who with their families, constitute a group of 370,000 people.

The council represents these unions and members in legislative and political activity. We are concerned with social issues affecting the welfare of our members, the State of California, the good of the Nation, and our country's international relations and foreign policy.

Consequently, we are interested in the laws which have to do with immigration and naturalization. Clearly legislation in this field can have far-reaching effects on our members, on the people of California and of other States, and on the health of United States foreign relations.

The real wealth of any country is its people. We do not want a restrictive immigration policy which will keep us from importing the most valuable product we can accept from another country—its people who wish to become our citizens.

AGENTS

Certainly we know that agents of countries hostile to us have entered this country with the sole intention of using their American citizenship as a cloak for activities against us and our form of government.

These people are agents of police states. They will use every trick and falsehood to gain entry to the country and we must protect ourselves against them.

No agent of communism or fascism should be allowed into the United States if he can be identified as such. Certainly anyone who declares his willingness to uphold the American form of government and then by regular judicial process is proven to have perjured himself should be subject to punishment under the law, including the possibility of deportation.

United States immigration laws should provide protection against the enemy agent. Failure to do so would be a stupid betrayal of our own security. And I may add this would also be betrayal to the rest of the free world in view of the fact that we are now the main bastion to freedom.

This protection should not be loosely drawn or carelessly applied, so that instead of protecting us from our enemies, it excludes and insults our friends.

WE NEED IMMIGRATION

We need the immigrant. We are still a vigorous, expanding country and haven't reached a point, yet, where we are content to stop growing and adding to our skills and ability to produce.

The State of California has been able to absorb a 100-percent increase in population in the last 10 years. We are not the only State that can benefit from the influx of new workers and new consumers. California's strength lies in its growing population.

California has reaped plenty of benefits from the contributions of the foreign-born worker, too. Some of our major industries—for example, canned tuna and wine growing and grape industry—were brought into being by foreign-born citizens of our State.

Particularly when production is vital to our success in the world struggle against communism and fascism, we have increased need of the skills available to us through the immigrant.

PRESENT LAWS RESTRICTIVE

We cannot calculate what skills are needed in this country, or to what extent we are able to alleviate misery in other countries by applying a national origins formula which was of doubtful value when it was adopted nearly 30 years ago.

It is unrealistic to govern the number of immigrants allowable in this country each year by a formula as inflexible as the national origins concept, to say nothing of the other dangers of the national origins approach.

Our present needs and our present ability to accept immigration have no relation to the numbers of people we admitted to this country in the 1920's.

What we are in effect arguing for here is a modern and more effective immigration law.

At present the countries assigned large quotas under the antiquated national origins formula are not using up their quotas. Small-quota countries have been additionally penalized by having charged against their quotas displaced persons already in this country before the act even goes into effect.

In other words, the McCarran Act will not even allow into this country the number it has set—albeit in arbitrary fashion—as permissible.

What the McCarran Act gives with one hand it takes away with the other.

RACIAL FEATURES

In no respect is this more apparent than the way in which the McCarran Act has handled the question of racial origins of immigrants.

According to the philosophy underlying this act, a person's entry into the country depends on his racial origins, favored races being given larger quotas. This is of one piece with Hitler's philosophy of master and inferior races. It is the reverse side of Stalin. The McCarran Act makes a lie of our protestation of our concern for human brotherhood and a blatant hypocrisy of our claims to a democratic way of life.

The bill has the meritorious feature of removing the automatic bar to immigration and naturalization of various Asiatics on racial grounds alone.

But the bill then sets up a racial ancestry test singling out orientals for special, prejudicial treatment.

Orientals and half-orientals are charged to the extremely limited quota of their ancestral lands, regardless of in what country in Europe or South America, for example, they are born.

Racial bias thus scores another damaging victory in a new provision limiting colonial quotas. The effect of this section is to exclude from the United States Negroes from the Caribbean Islands and to accomplish a drastic cut in immigration from the British West Indies, notably Jamaica.

These provisions will do harm of far wider consequence than simply offending the sensibilities of the Negro and Asiatic residents already in the United States and causing shame and disgust to those really believing in our philosophy of equality regardless of race or color.

Communists delight in this ammunition we have so thoughtlessly furnished them. They will see to it that these damaging provisions are well publicized throughout the world.

DEFEATS INTERNATIONAL AIMS

On one hand we are allied with countries of Southern and Eastern Europe for mutual protection in a North Atlantic Treaty Organization.

We are expending funds to beam information about American democratic ideas to foreign populations and governments.

At the same time, we are sabotaging these sincere efforts at friendship with European and Asiatic peoples by declaring in our basic immigration policy that we do not consider their people fit for American citizenship.

IRON-CURTAIN TACTICS

We are opening to question our consistency and integrity in condemning iron-curtain countries when we permit iron-curtain legislation of our own.

Other antidemocratic provisions of the McCarran Act have been publicized as having no place in our democratic philosophy. The measure automatically bars many refugees from totalitarian nations, it sets up literacy requirements for victims of religious persecutions, and abolishes existing statutes of limitations in deportation cases.

Besides barring many of the political and religious refugees who need our aid, and would strengthen our country, we treat in a strange fashion those who are able to meet the stiff requirements of entrance.

What a poor impression of democracy we are giving the people who are able to enter the country and whose first direct impression of us is obtained by tangling with our immigration procedures.

These new citizens must learn with dismay that under our present laws they are expected to remain in a special kind of second-class citizenship and that their grant of citizenship is conditional.

Aliens and even naturalized citizens suspected of undesirable political opinions, or running afoul of our laws, are subject to deportation instead of to equal treatment with American-born citizens under the law.

The law sets up the possibilities for deportation without judicial review and in some cases without even an administrative hearing.

In an effort to achieve security from the subversive, the McCarran Act has introduced some ugly provisions that contain neither sense nor security in disregarding our well-founded traditions of fair play and due process.

FOLLOW OUR LEAD

Unfortunately, other nations able to absorb some of Europe's and Asia's distressed populations will follow the lead of the United States in restricting immigration.

If the United States takes its fair share of immigrants, then it can be an influence in persuading nations such as Canada and Australia to do the same. Certainly we are in no position to encourage other countries to act in alleviating the displaced persons and surplus population problems of the world when we show unwillingness to do our own share.

And now I come to a personal suggestion which we haven't taken up in our organization. Our convention will be coming up in November, and this is one of the suggestions I am going to make then and am going to make to the Commission now.

I personally am in favor of reversing our present restrictive policy so completely that we would organize and open an "underground railway" into the countries behind the iron curtain. I believe that we should actively assist victims of tyranny behind the iron curtain to escape to our shores; we should be delighted to welcome here, too, the skilled craftsmen now forced to produce for enemy countries.

This is the example we should be giving the world, instead of a picture of fear of the newcomer.

FOREFATHERS KNEW BEST

Our forefathers were aliens. This country was established and built by the foreign-born.

The world has become more complicated since our forefathers arrived here, but the value of people has not changed.

The wealth of this country still lies in its people. To the extent we have been a refuge for the oppressed, downtrodden, and freedom-loving people of the world, we ourselves have prospered.

We will not go wrong if in changing our immigration and naturalization policies, we are guided by the welcoming words on the Statue of Liberty, "Give me the wretched refuse of your teeming shore. Send these the homeless, tempest-tossed to me."

The refugees, the homeless, the tempest-tossed—these are the people who have made America a great country where there is room for more people who will do the same so far as America's future.

The CHAIRMAN. Thank you very much.

Is Mr. Rogers here?

STATEMENT OF WILLIAM F. ROGERS, JR., REPRESENTING THE SAN DIEGO COUNTY FARM BUREAU

Mr. ROGERS. I am William F. Rogers, Jr., 77 S Street, Chula Vista, Calif., representing the San Diego County Farm Bureau, Chamber of Commerce Building, San Diego 1, Calif.

The CHAIRMAN. You may proceed, sir.

Mr. ROGERS. As we understand the purpose of this Commission it is to determine, or at least in an advisory capacity recommend, what the future immigration law might be in the United States. We consider the law might have a deficiency of what it says as well as what it may fail to say. We are not prepared to talk about the quotas as pertaining to Asia or pertaining to Europe, but rather a problem to us, who are only 6 miles from the international border, which is very pressing and certainly a financial problem to the United States Immigration Service, the so-called wetback situation.

We feel, and we are certain to this extent, that the present regulations do not have the confidence of anybody who has had anything to do with the present international program and that includes the Immigration Service in Washington in which we have gone to the extent to check with to see what their position is. Yet we are as vigorously in favor of eliminating this wetback situation as anybody in this particular room, but like prohibition there is only one way to eliminate a problem and that is to have a law that has the confidence of the people who are familiar with the problem. It is more difficult, we realize, to pass legislation than to utilize existing legislation. Fortunately for the farmers, and we believe for the Mexicans and the people of the United States, there now exists in section 102 and section 451, title 8 of the United States Code, which is sometimes referred to as simplified procedure for legal entry, a practical method of coping with this problem. It is commonly known as the border-crossing-card system. The system is in effect, as I understand from correspondence we have received from the Farm Bureau in New England, on the New England-Canadian border. We have also been informed by the San

Diego Union, which is the largest paper in San Diego, that it is the only one workable and the present one is absolutely abominable, and we have so been informed by the farmers there. The State Department is not for it. They have not attacked it on procedure. Mexico is in opposition to the same thing. In fact, after consulting with various Mexican authorities it does not bear out the contentions of either the Department of State or the Department of Labor.

The program we would like to see is that we would have a border-crossing-card system which would only require that the Attorney General of the United States would issue an order to the Immigration Service to temporarily utilize this border-crossing-card procedure. Then in Tijuana, which is an area adjacent to this border, under the present program—I don't know whether you are familiar with it—the labor is being recruited from central Mexico and much of it has no agricultural aptitude at all. In Tijuana in particular we are familiar with that situation, and there is a well-trained group of agricultural labor which is unemployed. This is the agricultural labor that has been under the various programs since 1942. That help is sitting over in Tijuana, which is not an agricultural area, unemployed. They are desirous of coming into the United States under a legal basis but they are prevented under the present regulations which require that they come in under international agreement, which means a train ride to central Mexico and redoubling their trip.

The crossing-card system, as we would like to see it carried out and as the agricultural commissioner in Imperial County would like to see it carried out, would be that there would be an agency in Tijuana to take this help and check it in order to see that it is in the best interests of the Republic of Mexico that they would be allowed to be issued a crossing card. That is, in other words, so they don't take vital help from Mexican industries in order to come over here because the wage scale in the United States is some eight times what it is in Mexico.

The second procedure would be that we would have a farm-placement agency or other governmental or quasi-governmental agency in Tijuana which would screen the help in order to find out that they actually have an agricultural aptitude, and at that point they would be issued a crossing card, assuming that all the other requirements of health and nonsubversive and so forth were qualified with. One is that the crossing-card system would be issued, and it would be issued for 6 months. It could require under the directive of the Attorney General certain wage conditions that must be complied with by the employer. It could require that the employer must pay this personnel in triplicate checks; one check each week to farm placement or other governmental or quasi-governmental agency in order that we could actually correct this wetback situation.

You never get any connection with it now because no one absolutely has any confidence in the present program, and we believe the crossing-card system would make it possible for a Mexican to come in and work on a legal basis. He would therefore be in a position to complain in case anybody would abuse his duties toward him in any way, either as to wages or working conditions. The present mess extends from an illegality of a situation and when you get a workable situation you could correct the abuse. You could have the Immigration Service possibly have 5,000 cases rather than 30,000 cases a month. There

would only be need for a $5,000 rather than $100,000 installation, which they are now going to put in San Jacinto.

We believe the border-crossing-card system would work in our own area as well as other areas more distant from the border. Our whole idea is to be practical. Where this system is the sound system, accept it, and where some other system is sound, have it. We would like this as a recommendation to put in the next bill.

The easiest way to get something done is to have the Congress of the United States request the Attorney General to utilize the existing code procedures of the Immigration Code, and we believe that would be in the best interests of the country.

I would like to submit for the record a letter in behalf of our organization.

The CHAIRMAN. It will be received.

(The letter submitted by Mr. William F. Rogers, Jr., follows:)

SAN DIEGO COUNTY FARM BUREAU,
San Diego, Calif., October 15, 1952.

PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
Los Angeles, Calif.

DEAR SIRS: The public has been led to believe that the farmers are the major reason for the illegal entry of Mexican workers, including Communists and smugglers. The inference has been by reason of the fact that most illegally entered Mexicans seek employment in agriculture.

Farmers are very much aware of the dangers of Communist infiltration and smuggling, and are very anxious that such persons be apprehended and dealt with immediately.

We are highly in favor of any practical means of correcting the situation and still maintaining an adequate legal labor supply to grow the food needed by our increasing population.

We propose that the provisions in the immigration law which permit the border-crossing card for agricultural workers be used in the border areas such as San Diego County.

The use of this border-crossing card would:

1. Permit the agencies of Government entrusted with the enforcement of laws to sceen out and apprehend the Communists and smugglers.
2. Make possible legal entry of agricultural labor so badly needed by farmers in border areas.
3. Be welcomed, we have been informed by responsible Mexican people, as an acceptable method for legalizing farm workers in line with the good-neighbor policy.
4. Benefit the consumer because the flexible labor supply will help prevent the loss of food.

Sincerely,

SAN DIEGO COUNTY FARM BUREAU,
S. C. MATHEWS,
Chairman, Labor Committee.

The CHAIRMAN. Is Miss Adams here?

STATEMENT OF SUSAN D. ADAMS, REPRESENTING THE LOS ANGELES CENTRAL LABOR COUNCIL OF THE AMERICAN FEDERATION OF LABOR, AND W. J. BASSET, SECRETARY

Miss ADAMS. I am Susan D. Adams, 536 Maple Avenue, Los Angeles, Calif., representing the Los Angeles Central Labor Council of the American Federation of Labor and its secretary, Mr. W. J. Basset.

I would like to read a prepared statement.

The CHAIRMAN. The Commission will be pleased to hear it.

Miss ADAMS. I appreciate the opportunity of appearing before this Commission. The Los Angeles Labor Council of the American Federation of Labor, which I am representing, represents 227 A. F. of L. unions and 500,000 union members in Los Angeles County. Our membership is composed of workers in many industries and in agriculture. We have in our ranks every type of employee, from the unskilled to the most highly trained. Our membership represents a similar variety in race, creed, color, and nationality.

During the time allotted me I would like to direct your attention to some of the experiences of the A. F. of L. in this community which have a bearing on the problems of immigration and naturalization which you are studying as well as to my observations on the present legislation in this field.

LOS ANGELES A. F. OF L. EXPERIENCE

Recently, I requested a number of A. F. of L. officers and business agents, representing different types of unions and industries, to give me information about their experience with immigrant workers in Los Angeles. I would like to pass on to you their accounts of first hand, day-to-day activity with foreign-born workers and what happens to these workers in our community.

The International Ladies Garment Workers Union is an A. F. of L. union with a large percentage of foreign-born workers. This union, from its origin, has been highly conscious of the problems of immigration and naturalization. Foreign-born members of the ILG in Los Angeles have come from eastern Europe and Italy; they include Poles, Russians, Belgians, a few Greeks, some Germans, some from the Isle of Rhodes, a small number of English, a few Irish, Mexicans, and Japanese (Japanese workers are mainly Nisei, however). Recent immigrants have been mainly displaced persons from eastern Europe and from Italy. The industry offers employment without discrimination because of nationality. Since the garment industry in Los Angeles is expanding there have been job opportunities for immigrants and the industry has depended on immigration for a large portion of its skilled labor supply. Since a large portion of its present skilled workers are more than 50 years old, a continuing source of skilled labor is a matter of concern to this industry.

The ILG conduct classes in Americanization and English language for its foreign-born members. These classes are well attended—enrollment is voluntary—showing a desire on the part of the workers to adapt themselves to life in America.

The union has found no important differences in the ability or desire of immigrants from various parts of the world to become self-supporting workers in the industry and participating citizens in the community; Southern and Eastern Europeans have been as successful in this endeavor as have their brothers from Western Europe. Many of these workers have escaped to this country after suffering from the tyranny of dictatorship and thus have a deep-rooted personal appreciation of our form of government and an abhorrence of the evils of communism and fascism.

Since the experience of the ILG is typical in many respects of that which has occurred in other Los Angeles A. F. of L. unions, I shall cite our other experiences more briefly.

The laundry workers report that immigrants from Czechoslovakia, Austria, Germany, and Great Britain are working in the industry here. Most of these immigrants know some English when they arrive and make definite efforts to improve their knowledge of the English language. There is a shortage of help in the industry, and the union feels that the immigrants have been of value in fitting the job opportunities available. The work is semiskilled and immigrants have been able to learn what skills were necessary in a short period of time. The foreign-born workers have shown an understanding and appreciation of democracy as a result of their political experiences abroad. Their desire to live under a free form of government, as contrasted with communism and fascism, is one of the reasons they express for having come here with their families.

The bakers' union reports a shortage of trained men in the industry and states that the immigrants who have sought work as bakers are well trained in the countries from which they come. Some of the immigrants speak excellent English; some speak no English. The latter have been anxious to learn the language.

Immigrant workers have also found employment in poultry houses under the jurisdiction of the Provision House Union. These immigrants also are taking jobs in an industry in which there has been a scarcity of workers. These workers are going to school in their off-work hours. They are anxious to make this country their permanent home. However, these workers are in great fear of doing anything which might get them sent back to the countries from which they came, and this fear extends even to union activity.

Some immigrants have found employment in the cap makers field. Employers have not been prejudiced because of an applicant's nationality and there are opportunities in the field for skilled and nonskilled workers.

The printing specialties union reports that about one-third of the immigrants who have been placed in this industry in Los Angeles are skilled in the trade. Those coming from Czechoslovakia, Germany, and Switzerland represent some of the highest skilled and best trained in the industry. The vast majority of those coming over spoke English and could make themselves understood. The union has been immensely pleased with their adjustment. There has been a need for labor, particularly skilled labor, in the industry which these workers have helped to meet. This union also reports that immigrants are afraid to join any organization, even unions, for fear of prejudicing their citizenship.

SUMMARY OF LOS ANGELES A. F. OF L. EXPERIENCE

This actual working experience with immigrants of different nationalities in varied industries, in this community, can be summarized as follows:

During the last few years many of the immigrants who have come to us under the Displaced Persons Act are from the very countries allotted small quotas under the McCarran Act. Our unions have found these immigrants as capable of adjusting to American ways as workers from countries which have been given more favored quotas in our present immigration law.

These immigrants either have a knowledge of English or quickly make efforts to learn the language of their new homeland.

Many bring skills which are needed in American industry. These skilled craftsmen are useful in training other workers, American or foreign-born, so that our industries can continue to have an adequate supply of skilled labor. Others fill a need for labor in industries having a shortage of unskilled or semiskilled workers.

The experience of our Los Angeles A. F. of L. unions reveals that immigrants from southern and eastern Europe, as well as from countries favored by the McCarran Act quotas, rapidly become self-sustaining in employment and a part of the community life.

It is true that fear of jeopardizing their citizenship—fear undoubtedly enhanced by the debate and discussion leading up to passage of the McCarran Act as well as the punitive features of the act itself as passed—make these immigrants hesitant about assuming certain responsibilities of citizenship. Although most of the immigrants with whom we have come in contact in Los Angeles have an appreciation of the democratic form of government as a result of their personal observation of the results of Communist and Fascist tyranny abroad, they feel an active participation in organizations—such as trade-unions—might lead them into trouble over their citizenship status.

Such an atmosphere as fostered by the deportation proceedings of the immigration law prevents the immigrant from making contributions to our industrial democracy and our community organizations equal to their contributions as workers.

IMPACT ON OUR INTERNATIONAL RELATIONS

The A. F. of L. is concerned with the effects of our immigration policy in world affairs quite as much as with the limitations it puts on the immigrant's contribution to life within the borders of the United States.

One of the most vigorously effective, although little publicized, activities of the American Federation of Labor on a national level is the Federation's role in world affairs. Practically the first item of business before the A. F. of L. national convention last month was a 55-page report on what the A. F. of L. is doing in the international field.

Working as "shirt sleeve diplomats" a score of the A. F. of L. representatives have been busy in countries like Germany, Austria, France, Pakistan, and Japan to promote democratic unionism, to keep check on United States foreign policy, to help meet human needs, and to cement friendship between the peoples of these countries and the United States.

Certainly these efforts to extend a helping hand to the peoples of Europe and Asia and our assurances of American friendship for freedom-seeking peoples of the world are handicapped and weakened by legislation such as the McCarran Act which announces to the world a contrary philosophy.

The reaffirmation of an immigration policy based on an outdated formula of national origins, involving blatant discrimination against the people of southern and eastern Europe, and containing racist con-

cepts directed against orientals and colonial peoples, can harm or completely nullify the patient work of all those, including A. F. of L. representatives abroad, who have worked for friendly ties between the United States and Europe and Asia.

The manner in which the United States takes cognizance of the problems of displaced persons and overpopulation of other nations will have a lasting effect of our relationship with countries we are attempting to win or keep as friends and allies.

This is no time for America to abandon its tradition of offering asylum to the oppressed and persecuted. Every effort of our Government envoys and of representatives of non-Government bodies, is being made to demonstrate the willingness and ability of this country to help meet human needs.

The present immigration and naturalization policies of the United States will be used by our enemies as an example of our unwillingness to help and of our inability to understand the misery of other nations that may be disastrous for the international structure we have been attempting to build.

Those who supported the McCarran bill claimed that it streamlined our immigration and naturalization laws, eliminated their racial bias, and closed loopholes through which alien criminals and subversives had been entering this country.

Actually the effects of our present immigration and naturalization laws accomplish contrary results in many respects. For example:

1. Our present laws would exclude many aliens who would be stanch defenders of our American way of life. Our laws, in many instances, bar precisely those people who are anti-Communist and anti-Fascist by reason of their experiences abroad. Many families from southern and eastern Europe seek to enter this country because of their desire for freedom and their hatred of totalitarianism. They are vigorously democratic because they have experienced tyranny and they would be an asset to this country. The national origins concept in our legislation has given small quotas to countries from which we could otherwise welcome people who appreciate democracy because they have been touched by the torture, murder, and brutality of dictatorships.

2. Our present laws invoke a racially discriminatory ancestry test for the issuance of quota visas. Such racism not only violates our principle of equality regardless of race, creed, or color. It not only deprives us of the contribution of people who have everything to offer but the proper ancestry. This odious feature of our present policy insults the people of Asia. It sets up an insurmountable barrier to friendly international relationships between the United States and the countries of Asia, where we are working for an understanding of democracy. It cannot be acceptable to the people of Asiatic and Negro ancestry within our own borders.

3. The McCarran Act violates sound principles of administrative procedure, and,

4. Our present laws attempt to protect this country from subversives and other desirable persons by techniques which have been described as "closely akin to totalitarianism."

Furthermore, the McCarran Act sets up new principles and procedures for deportation which violate the civil rights of a naturalized citizen and leave him forever in a second-class status of citizenship.

What should be substituted in place of this legislation which is based on a philosophy of antagonism toward a large portion of the world's population?

Let us face, first of all, the need for a carefully worked out, long-range policy of immigration and naturalization and recognize that piecemeal amendments of our present laws are insufficient. What is needed is a complete revision and liberalization of our basic immigration and naturalization laws.

This revision should be based on the philosophy that, properly regulated, immigration will be mutually beneficial to this country and to the immigrant.

Immigrants should be judged as people, according to their merits and not according to their national origins or racial ancestry.

Our capacity to absorb immigrants in the population and the working force should be calculated and immigration permitted according to that capacity. Certainly American labor unions, which have extensive knowledge of employment conditions, can be helpful and should be consulted in determining what amount of immigration our economy can absorb.

Displaced persons already in this country should not be charged against the number of immigrants to be welcomed here now or in the future.

Special provisions should be made to protect the unity of the family and to meet this country's needs for people with special skills and training.

Administrative decisions of immigration and naturalization officials should be subject to judicial review.

Once the immigrant is a citizen he should have all rights of citizenship and face deportation only if he entered this country through fraud.

Such legislation would enable us to face the present and meet its challenges realistically. We had better stop pretending we live in 1924 and can depend on immigration policies which were highly questionable even then. The problems of 1952 and of the years to come are too urgent to permit of pretense, prejudice, isolationism or stupidity in our immigration and naturalization policies.

I am glad your Commission is gathering the facts which can lead to a replacement of our present inadequate and harmful laws by sound legislation.

Too much is at stake to permit continuance of immigration policies which have already harmed and will further endanger our civil rights, our economy, and our international relations.

The CHAIRMAN. Thank you, Miss Adams.

Is Professor Beals here?

STATEMENT OF RALPH L. BEALS, PROFESSOR OF ANTHROPOLOGY, UNIVERSITY OF CALIFORNIA

Professor BEALS. I am Ralph L. Beals, 568 Dryad Road, Santa Monica, Calif., professor of anthopology, University of California, formerly president, American Anthropological Association. I have completed 6 years as a member of the Board of Social Science Research Council, which is the liaison organization of all the social science organizations in the United States.

I should begin by saying that I am not appearing as a representative of the University but as an individual and a professor. I have a prepared statement I would like to read.

The CHAIRMAN. We will be glad to hear it.

Mr. BEALS. This statement is confined to a discussion of the effect of our immigration laws and their administration, including the national origin quota system on the conduct of the foreign policies of the United States. This limitation is made with full recognition that the formulation of an adequate national policy with respect to immigration is a very complex matter involving many other considerations besides those dealt with in this statement. In the brief time available I wish to restrict myself to that area in which I believe I have some special qualifications.

First a word about these qualifications. I am an anthropologist, which means that I have devoted my mature life to understanding and knowing the ways of life of other peoples and have been particularly concerned with their attitudes, values, and beliefs. I have spent long periods of time outside the United States in Latin America and I have visited all the major countries in that area for varying lengths of time. I have also discussed these problems with many anthropologists who have spent long periods of time in other parts of the world. I have been president of the American Anthropological Association. As representative of the association to the board of directors of the Social Science Research Council for the past 6 years. I also have had close contacts with leading members of other social sciences. I do not speak officially for any group, but I believe practically all anthropologists and social scientists will support what I say.

In their work abroad anthropologists meet not only Government officials of many ranks, intellectuals, and businessmen, but also working people, peasants, and primitives. I have shaken the hands of Presidents and I have been the guest and sometimes the friend of Cabinet members, ministers, senators, and other people of this type abroad. I have also slept on the dirt floor of Indian huts, and I think I have some idea of the range of ways of living and problems and feelings that people in these countries have. Our range of experience in a given country consequently tends to be broader than that of most observers from the United States. Moreover, we meet these people under circumstances which tend to produce frank and open responses.

Regardless of stratum of society, I believe it is correct to say categorically that throughout much of the world our quota system is deeply resented.

Such resentment does not imply that thinking people, at least, recognize that it is necessary for a nation at times to place restrictions on the amount and kind of immigration it permits and to specify conditions under which immigration may occur. In fact, most countries have such restrictions. Our quota system, however, is generally interpreted as being a form of discrimination and an expression of feelings of racial superiority.

The people of the world have long been aware of attitudes of superiority expressed by members of northwest European groups toward peoples of darker skin color. An overwhelming part of the population of the world is darker in skin color than people of northwest European origin. Any discrimination against people of darker

skin in the United States is taken by people everywhere as discrimination against them. Even where people were formerly ignorant of discrimination in the United States against people of dark skin color, the Communists have made them aware of these circumstances. The quota system is viewed then as an extension of such discrimination.

Whether such discrimination originally was intended in the quota system, or not, is beside the point. In effect, the operation of the quota system gives the appearance of such discrimination and it is so interpreted. It is my belief that no amount of explanation will convince most people outside the United States that the quota system is not intended to be discriminatory.

As a result of this interpertation, our foreign policy is frequently suspect. Even our most generous offers of technical and economic aid tend to be viewed either as condescension or to conceal some ulterior motive. Frank expression of self-interest would be understood and it is perhaps unfortunate that we tend to stress our generosity in technical and economic aid programs rather than the frank statement of national interest which lies at the root of such programs. Peoples everywhere today will grant the superiority of our technical knowledge and the greatness of our wealth. They resent, however, the implication that these are the results of an inherent superiority and a belief that other peoples are unable to accomplish similar results in time. The quota system therefore clouds the bases of even the simplest understanding of us and our motives.

All scientific evidence indicates that all peoples are inherently capable of acquiring or adapting to our civilization. Upon this point the American Anthropological Association has unanimously endorsed an official statement by its executive board. But peoples who have grown up in and been adapted to a quite different way of life, that is a different culture, to use anthropological language, may find it difficult as adults to adjust to new conditions. The degree of difficulty will vary according to the way of life in which people have developed. To put it in simple terms, because of their training and experience, some people may find it slightly easier to adapt to American civilization than do others, but this difference does not lie in any inherent qualities attaching to a particular group. This is the one sentence and the one thing that a couple of my colleagues disagreed with in this statement. They didn't want to admit that it was harder for some people to adapt than others on the basis of background.

Mr. ROSENFIELD. May I interrupt? Are you saying there is no disagreement on the point that there were no inherent differences?

Professor BEALS. There is no disagreement. The difficulty is that some ways of life would be harder for some than others.

The CHAIRMAN. Is that the idea that is not fully concurred in?

Professor BEALS. It is not concurred in by all people: Not the ability to adapt, but the speed of the adaptation.

(Continuation of reading by Professor Beals:)

The very history of the United States is a vital witness to the truth of this statement, for people of many races and cultures have made great contributions to our way of life. However, the forces of history are such that I do not believe we can persuade the rest of the world that any quota system is based upon adaptability rather than upon belief in inherent inferiority or superiority of other peoples. Conse-

quently, I believe the Commission in reaching its conclusion should give serious thought to the problem of whether the damage done in our relations with other peoples by a quota system is not far greater than the damage to ourselves if we admit a larger number of peoples who may possibly take an additional generation to adapt to the American way of life.

Commissioner O'GRADY. Is the Social Science Research Council doing any work in this field at the present time?

Professor BEALS. At the moment they have no such programs. They have in the past and are supporting such programs at present as the development of specialists in foreign areas. There is the department of special training and special research programs to enlarge the United States knowledge of foreign areas, both from the standpoint of research needs and the very real needs of our expanding foreign policies and our expanded position in world affairs. I think this is where the council's major support has gone at the present time, in the foreign-areas program.

Mr. ROSENFIELD. Professor, let me make sure that I understand your point. Are you telling the Commission that if there are anthropological justifications for a quota system, purportedly based on differences of ability of different peoples to become assimilated in the United States, you professionally say to us that there is no scientific verification for that belief?

Professor BEALS. That is what I would say.

Commissioner O'GRADY. Would you prefer to place it on an individual basis, rather than on any group basis?

Professor BEALS. Certainly. I certainly do not wish to imply that there are no individual differences. The view is that there are no demonstrable scientific differences in the group.

Commissioner GULLIXSON. Are you suggesting then that the matter is not one of European inter-relationships, but rather one of adjusting ourselves to a world-wide problem?

Professor BEALS. I think to a world-wide problem. This is my personal belief: That we cannot again isolate a section of this problem and say that we will discuss immigration in terms of Europe and not in terms of the rest of the world.

The CHAIRMAN. Thank you very much, Professor Beals.

Our next witness will be Mrs. Benjamin Miller.

STATEMENT OF MRS. BENJAMIN MILLER, PRESIDENT, WOMEN FOR LEGISLATIVE ACTION

Mrs. MILLER. I am Mrs. Benjamin Miller, 330 South Los Palmos, Los Angeles, Calif., president, Women for Legislative Action.

I happen to be here today to speak for our membership of some 300 active women, active in understanding and studying and working for nonpartisan and, we hope, beneficial legislation, not only for our own community but for the entire country. I speak not only in the name of Women for Legislative Action, but also in the name of some 600 people who attended a conference and dinner sponsored by the organization and cooperating organization on Saturday, October 4, at which time upon decision of the entire conference it was asked that a representative appear before this distinguished investigating com-

mission and make known our views on the matter of the McCarran-Walter omnibus bill, Public Law 414, as I understand it.

Now, it is indeed getting late and, too, to some of the presentations which were made here today we might very readily say a fervent "amen" and leave it at that. However, there are just a very few things which I feel I must add in the name of the people whom I represent. In the first place, I have a feeling that in much of the presentation we had an instance of the classic story of the three blind men each trying to describe the elephant; the one thinking it was a snake because he touched the tail, the other a wall because he touched the side, and the other a tree because he touched the leg of the elephant.

Actually, it is an over-all picture of this omnibus bill which we must understand. You cannot be, for instance, against the quota system, the discriminatory quota system, and forget completely about the rest of the bill. This is very simple. It is because they fit together as day follows night.

The bill starts out with the assumption that those who come to this country really are second-class people. Why do we say that? It is very simple. Because two-thirds of the entire quota allotment is given to three countries which do not simply use their allotments: Germany, Great Britain, and Ireland. In other words, the one-third used by the rest of the world is sort of a secondary hand-out to these people. As I say, it starts out with the assumption that those who come are inferior, and Dr. Beals gave a magnificent and brilliant recitation of this idea.

Then in the provisions that deal with denaturalization and so forth the bill continues with an actual application of constant restrictions and denials of true citizenship rights. It cannot be emphasized enough here, as has been said here before by several gentlemen, when citizenship papers are final that citizenship should have complete meaning to all of the people who come to this country. I want to say just this: We of the Women for Legislative Action and the people at our conference, who, by the way, represented trade-union people and church people and men and women from other civic and nonpartisan political organizations—we have studied this bill and to go into any sort of deep analysis here would simply be to bore you and take up unnecessary time.

I think what must be pointed out is just this: In the first place, as I understand it, this Commission was set up by President Truman, as he stated perhaps in his veto message originally, that we must have a representative commission of outstanding Americans to examine the basic assumptions of our immigration policy. We feel that the basic assumptions of this immigration bill, the McCarran-Walter bill, are not to the best interests of all of the American people and of all of the people who might want to come here and become good citizens. Therefore, I say we need not be too specific after you have heard many, many authorities. I think, too, that we must understand again the basic truth that was stated by Mr. Truman in his veto message: that seldom has a bill exhibited the distrust exhibited here for citizens and aliens alike at a time when we need unity at home and the confidence of our friends abroad. What, then, is the result of this bill? What will happen? What can we envisage as the future as to what can be done about this bill?

You have heard from many people who have felt that there has been discrimination. The Jewish people feel that there is discrimina-

tion in the matter of applying for visas in ethnic and race qualifications. The Negroes feel they are discriminated against in the West Indies and Caribbean quotas. The people of Asia with the tiny minimum quota of 100 for a year—and if you have 50 percent oriental blood this also goes on the oriental quota—feel they are discriminated against. Think how this picture adds up and what a tremendous force it is. You have heard testimony from noted citizens, from an anthropologist, and from men who are spiritually equipped to lead this country, and they have spoken truly in the name of an ideal, which is still important to the people of the United States. You have heard from labor people. You have heard from the CIO and from the AFL. All this builds itself up into a tremendous force which will not be quiet, which will not equivocate, which will not retreat one step in the fight against this bill.

I think that you must understand, gentlemen, that we are as earnest about this as were our forefathers, whether our own forefathers were actually still in Europe at the end of the eighteenth century or whether they were in this country. They are still the forefathers of every American citizen. At the end of the eighteenth century, American people, good American people, fought with blood, with their lives, with everything they possessed, to defeat the vicious discriminatory alien and sedition acts. You have heard a tremendous body of testimony. Let it just be understood that in this country, and we are convinced throughout the country, this fight will continue until the McCarran-Walter Act has been repealed and a fair, nondiscriminatory act has been put on the books.

The CHAIRMAN. Thank you, Mrs. Miller.

Mrs. Suchman, I understand you wished to testify.

STATEMENT OF MRS. EDWARD SUCHMAN, APPEARING AS AN INDIVIDUAL

Mrs. SUCHMAN. I am Mrs. Edward Suchman, 238 North Manhattan Place, Los Angeles.

The CHAIRMAN. Do you represent any organization?

Mrs. SUCHMAN. I belong to a dozen organizations, but I will speak for none because no one can speak for any organization.

The CHAIRMAN. Then I take it you are not representing any group?

Mrs. SUCHMAN. Yes, I am, the greatest organization in the world, the United States of America.

Mr. Chairman, if I get a little vociferous it is not personal. All of us in our hearts want the best thing for our country—I hope they do. But unfortunately, I came here when I was a year old. I am a Jewish woman, proud of my Jewish faith. My father brought me from Russia when I was a year old. I am 69 today.

Now, friends, when my father brought me here the immigrants of that time and of your time, my friends, were the salt of the earth. They didn't come here indoctrinated by organizations in Europe, brought here to make our country over to the totalitarian, Russian and Communist pattern. We came here, my dad came here as a Russian to make a better life for his family because he loved freedom. I remember him as a child saying, "Let's get Americanized. Let's get to know our neighbors." He couldn't even speak English. He was persecuted

like many of our fine friends in Europe were, but he wanted us to learn how to be Americans so we could be good neighbors. We never knew of anything like an antidefamation league, which is just using every organization for its own selfishness, creating anti-Semitism. No, we were all Americans: black, white, Jew, Christian, partisan, everybody. That is the way it should be today.

But look what is happening today. One race is fighting the other. You have labor bosses here advertising just what they want, their brands of medicine. You have ministers advertising what they are doing. We are all against sin. That isn't the point. I am going to come to the question in point, my friends.

Whenever the trail blazers, the salt of the earth, those immigrants who came—my father peddled with a pack on his back the same as your forefather. They kissed the ground. They loved America. They didn't do like these organizations who say they are against loyalty tests and every safeguard. Pardon my emotion, please, but while we are sitting here our boys are dying in Korea.

The organizations, the American-Jewish ones want us to bring the scum of Europe here. Yes, when the Statue of Liberty was put up there, we were all for it because we wanted to help the persecuted. What are we doing today? We are spreading ourselves thin all over the world. How about other countries taking a little bit of that immigration? They don't say a word about that. Australia, South American, and all those countries want immigrants that work. They don't want a bunch of lazy loafers that come here and get into our colleges and indoctrinate our children. We want to stay here under God.

The trail of my life is getting shorter. I leave children and grandchildren. I thank God we have Senator McCarran here who has the courage. And I want to say, friends, don't—for heaven's sake, friends, get away from organizational phobia. The word "organization" has become repulsive because most of them are self-serving rackets. When I speak I speak only for myself. I am connected with and identified with pro-American organizations, with the American Legion Auxiliary. I give many contributions.

I might say in passing, through the greatness of this great country of ours, God bless America, my father came here as a Russian immigrant and couldn't write his name, and he became a millionaire worth $2 million through the greatness of this country and the great opportunities. That is all the more reason that we should protect this McCarran committee and give them every cooperation. They are fighting. If we can't have a committee to protect ourselves, who, in God's name, is going to protect our country? It is the only safeguard.

I won't take up much more of your time because I have a sick husband at home. I know some of you are pleased, but you go over and see those boys being slaughtered in Korea with their hands being tied behind their backs. One is my nephew, if you please.

All that has perhaps happened—unfortunately, I supported F. D. R. as a Democrat. I am sorry, and I saw him misled. I am saying a lot of us people were misled. We saw the results of that since the recognition of Russia. The thing has been happening year after year and more and more.

Mush-headed professors and mush-headed ministers come here with their sob-sister stories and want us to open the bars and take in all the scum that will wreck the great country our founding fathers made for us.

I will say in closing, my friends, yes, under God's name everybody is equal. We are all God's children, and those Arabs that were kicked out of the Zionist lands are God's children too that are starving over there.

Now, I want to say in closing, because I will be accused of being anti-Semitic, that I am devoting my life to stopping anti-Semitism. That is all I do day after day. You have seen me before the city council board of education fighting Jewish organizations that oppose loyalty tests, that oppose un-American committees, that oppose everything to safeguard this country that gave a haven to the persecuted of Europe.

Can you tell me what gets in the minds of those people that they would try to wreck the greatest land on earth? I would be ignorant not to protect the country that I have today and was given you and everybody else.

I say "yes," let everyone in here after they are screened by the methods used by the McCarran committee whether Jew, gentile, black, white, or who they are. We are all God's children. But for God's sake, don't open the bars and let in the Red scum of Europe because some sob sisters say it is all right. The organizations that are back of this thing are powerful. I don't have to tell you that. You know yourselves who they are.

I want to say here in closing there has been a lot of talk about why this committee by the Congress that—some people think this Commission is just a political maneuver because of the elections and that you want to cater to the minority groups. I am not saying that is true or not true, but I think it would be more of an advantage to all of us if a committee would go to Korea to see why negotiations can't be made and why we have to send more boys to the furnace to be killed. I think that is more important. I have had my say and I want to thank you very much for your attention.

The CHAIRMAN. Is Mrs. Clara McDonald here?

STATEMENT OF MRS. CLARA McDONALD, PRESIDENT, UNITED PATRIOTIC PEOPLE OF THE UNITED STATES OF AMERICA

Mrs. McDONALD. I am Mrs. Clara McDonald, 212 West Third Street, Los Angeles, Calif.

I am president of the United Patriotic People of the U. S. A., and I am proud of that title.

My remarks will be very brief. When I say that I am proud of an organization that has fought communistic bills in Sacramento, I mean just that. We fought this practically alone and single-handed. We had no religious organization to back us up. Single-handed we opposed communistic bills as they were presented in Sacramento year after year from the period 1942 until 1949. Again, patriotic organizations joined us when they attempted to memorialize in favor of world government. Anything that this committee of Senator McCarran's can do to block subversivism in the United States, I am very sure

that the patriotic organizations that worked with me and sometimes through me will be very happy about it.

When a situation is such as that, we have to watch the raising of our own United States flag to prevent a stampede through that gathering to picket not against Democrats or not against Americans, not against any organization or individual, but against America itself.

The CHAIRMAN. Thank you. We will now recess the hearing until 1:30 o'clock this afternoon.

(Whereupon, at 12:40 p. m., the Commission recessed until 1:30 p. m. of the same day.)

HEARINGS BEFORE THE PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION

WEDNESDAY, OCTOBER 15, 1952

LOS ANGELES, CALIF.

TWENTY-SECOND SESSION

The President's Commission on Immigration and Naturalization met at 1:30 p. m., pursuant to recess, in courtroom No. 10, main floor, Federal Courthouse Building, Los Angeles, Calif., Hon. Philip B. Perlman, Chairman, presiding.

Present: Chairman Philip B. Perlman and the following Commissioners: Msgr. John O'Grady, Mr. Thomas G. Finucane, Rev. Thaddeus F. Gullixson.

Also present: Mr. Harry N. Rosenfield, Executive Director.

The CHAIRMAN. The Commission will please come to order.

This afternoon our first witness will be Mrs. Otto Wartenweiler.

STATEMENT OF MRS. OTTO WARTENWEILER, VICE PRESIDENT OF THE BOARD, INTERNATIONAL INSTITUTE OF LOS ANGELES, AND CHAIRMAN OF THE DISPLACED PERSONS COMMITTEE OF THE WELFARE COUNCIL OF METROPOLITAN LOS ANGELES

Mrs. WARTENWEILER. I am Mrs. Otto Wartenweiler, 955 Westchester Place, Los Angeles 19, Calif. First, I am a private citizen with a great interest and long experience with foreign-born people. Second, I am vice president of the board of International Institute of Los Angeles. Then third, I appear as chairman of the Displaced Persons Committee of the Welfare Council of Metropolitan Los Angeles.

The CHAIRMAN. You may proceed.

Mrs. WARTENWEILER. I would like to say that these remarks I wish to read are the consensus of the general opinion of representatives of the various social agencies in the Los Angeles area connected with immigration and naturalization problems. The purpose of our presenting these is not criticism of any existing acts or bills, but that hopefully more appropriate legislation may be evolved.

The CHAIRMAN. We shall be pleased to hear your statement.

Mrs. WARTENWEILER. One of the reasons we lead the free world today is that we are a nation of immigrants. We have been made strong and vigorous by the diverse skills and abilities of the different peoples who have migrated to this country and become American citizens. Past immigration has helped to build our tremendous industrial power. Today our growing economy can make effective use of addi-

tional manpower in various areas and lines of work. This I quote from President Truman's message to the Eighty-second Congress of March 24, 1952.

The following principles are fundamental in the development of our immigration laws with respect to admission and naturalization to aliens. Of these we have five to present:

I. Principle of equality: Consistent with the American democratic ideals, immigration and naturalization policies and laws should give recognition to the equality of mankind without prejudice as to race or national origin.

II. Principle of limitation: The limit of the number of individuals of other nations permitted to enter this Nation should be regularly adjusted on the basis of our population growth and our current economy. Provision should be made for transfer of unused quotas to any of the oversubscribed groups on an equitable basis. Any limitations established should be subject to regular quarterly review within any one year.

III. Adjustment of status cases: Provisions for adjustment of status of aliens who have some technical irregularity in their immigration status, should give favorable consideration to the contributions which they have made to our economy as well as to their integration into our American way of life.

IV. Statute of limitations: To safeguard the preservation of the liberties of individuals who are planning to become citizens of the United States, a statute of limitations should be incorporated into any proposed legislation which would be generally consistent with previous immigration statutes of limitations, for instance, the 5-year provision. Such statutes as are proposed should not exercise any extreme or undue hardships on those aliens seeking to obtain citizenship in this country.

V. Naturalization and citizenship: Status quo should be maintained on requirement for naturalization and citizenship to the extent that two character witnesses should provide a suitable basis for processing of citizenship applications.

The CHAIRMAN. Thank you very much, Mrs. Wartenweiler.

Is Miss Newton here?

STATEMENT OF ELSIE D. NEWTON, EXECUTIVE SECRETARY, INTERNATIONAL INSTITUTE OF LOS ANGELES

Miss NEWTON. I am Elsie D. Newton, 435 South Boyle Avenue, Los Angeles, Calif., executive director, International Institute of Los Angeles, which I represent here.

Our statement was prepared in conference with our director of case work Ruth E. Durward, and our workers who are continuously working with people of foreign birth who are coming to Los Angeles to live. We are heartily in accord with the objectives of the Commission.

With your permission I will read our statement.

The CHAIRMAN. You may do so.

Miss NEWTON. The Los Angeles International Institute welcomes the opportunity to express its views before the President's Commission on Immigration and Naturalization, whose mission we consider timely and much needed in view of the failure of the new Immigration and

Nationality Act to alter materially the fundamental defects of our old immigration system.

We come before the Commission with the understanding that the present hearings are more concerned with the development of a broad concept for the reorientation reorganization of our immigration and naturalization policies and practices than a specific consideration of the new Immigration and Nationality Act.

1. ADMISSION OF IMMIGRANTS TO THE UNITED STATES FOR PERMANENT RESIDENCE

The Los Angeles International Institute has had a long experience in working with immigrant peoples of many nationalities and backgrounds toward their adjustment in this country.

Out of this experience we are convinced that peoples of all races and nationalities have much of value to contribute to our society and to our economy.

We recognize that there are limitations on the rate at which our country can satisfactorily absorb new peoples. We believe that a plan of controlled immigration is necessary, but we also believe that it should be designed without racial or national discrimination and should be based on the recognition of the essential human value of all peoples.

The national origins quota system, under which we now operate, is highly discriminatory and has very serious inequities in its distribution of immigration quotas among nations. Also, its inflexible structure is a barrier to the full use of the total quota numbers allowable.

The new Immigration and Nationality Act makes little fundamental change in principle.

We believe that a new plan of controlling immigration should be created based on scientific and up-to-date evaluation of the capacity of our country to use new immigration, and on a consideration of the needs of other countries to relieve overpopulation and other inner pressures. It should be more flexible than our old plan in order that adjustments in it may be made as conditions here and abroad may demand. Also, its procedures should be designed to operate efficiently toward permitting the full utilization of the maximum number of immigrant visas allowable each year.

In addition, it should contain provision for authority to meet quickly emergency situations such as made necessary the Displaced Persons Act of 1948.

This act achieved great good both for the displaced persons and for this country but in its attempt to operate within the inflexible pattern of our quota system it created liabilities against future immigration from the countries concerned which are unwarranted and should be canceled.

We wish to comment specifically in relation to the new Immigration and Nationality Act that it does make a distinct advance against racial discrimination in its elimination of racial ineligibilty to naturalization and its inclusion of all Asiatic and Pacific peoples under quota provisions.

However, we deplore the fact that at the same time it continues our unfair discrimination toward these peoples by placing extreme limitations on the size of quotas allowed them and in establishing a special

and unusual method of charging all persons of oriental ancestry to these quotas.

2. ALIENS WITHIN THE UNITED STATES AND NATURALIZED CITIZENS

In view of the present world situation, in which nations are both closer together and more in conflict with each other than ever before, it is not surprising that our tendency to regard aliens in our midst with attitudes of uneasiness and hostility is accentuated. However, it is at variance with the basic tenets of our Nation and the principles expressed in our Bill of Rights to visit upon the individual the overload of suspicion growing out of general unrest and to deny him, through prejudice of either a political or ethnic nature, adequate consideration of his own individual case upon its own merits. Nor should we forget that our country has traditionally been the refuge of the religious and the political persecutee, as well as the individual who simply seeks a better life for himself and his family. Only some provision for leniency in the administration of our immigration practices will preserve adequately basic human values and our traditional ideals.

Unnecessarily severe penalties for infringement of immigration regulations are imposed at various points in the new Immigration and Naturalization Act. An example is that of a penalty of possible deportation for failure to register change of address.

We especially deplore the stringency of the provisions in the act in regard to the adjustment of status of aliens through suspension of their deportation. The term, "extreme and unusual hardship" is capable of extremely narrow interpretation. We are alarmed at its implications if applied to cases similar to many we have known in which there was truly extreme hardship but not always of such a concrete and demonstrable nature as to be susceptible to complete proof in relation to a rigid interpretation of this term.

We are particularly concerned about the provision against allowing suspension of deportation for aliens who are nationals of contiguous countries. This denies such a national complete consideration of his case on its own merits with a view to the same possible remedies as are available to nationals of other countries. In our experience, the alternative of voluntary departure is not an adequate substitute for suspension of deportation in all such cases. We speak especially of our experience with Mexican people. Though the problem of travel to a contiguous country is presumed not to be great, in many instances it is actually difficult and expensive. Also the difficulties in arranging re-immigration to the United States are at times insurmountable, especially in lower income cases. In the meantime, families who may be American citizens will be left here without support and may often become public charges. If such cases, like all others, are judged on their individual merits, voluntary departure may be granted when it affords adequate relief as it will in a greater proportion of these cases than in cases of nationals of more distant countries. Suspension of deportation should still be available for the cases where it is really needed.

In conclusion, we wish to express our appreciation for this opportunity to present our views and our hope that from this present undertaking new and constructive proposals for the revision of our immigration policies may be presented to our Nation for adoption.

The CHAIRMAN. Thank you.
Is Mr. Lieberman here?

STATEMENT OF JACOB J. LIEBERMAN, REPRESENTING THE COMMUNITY RELATIONS COMMITTEE OF THE LOS ANGELES JEWISH COMMUNITY COUNCIL AND ITS CONSTITUENT ORGANIZATIONS

Mr. LIEBERMAN. I am Jacob J. Lieberman, an attorney, 639 Wilshire Boulevard, Los Angeles, representing the Community Relations Committee of the Los Angeles Jewish Community Council and the 350 organizations which are a part of that council.

In behalf of the Los Angeles Jewish Community Council, I wish to submit for the record a prepared statement, and the following papers: Analysis of Public Law 414, by Sidney Kaplan, immigration attorney; statement based on interview with Los Angeles Polytechnic High School officials; statement on the McCarran Act prepared on behalf of the Council of Jewish Women of Los Angeles; and a table of empirical data regarding home ownership and occupation of native-born and foreign-born Jewish residents of Los Angeles, Calif.

The CHAIRMAN. Those documents will be inserted in the record.

(The documents submitted by Mr. Jacob J. Lieberman follow:)

PRESENTATION BEFORE THE PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION FOR THE LOS ANGELES JEWISH COMMUNITY COUNCIL

Mr. Chairman and members of the Commission: My name is J. J. Lieberman. I represent the community relations committee of the Los Angeles Jewish Community Council and its 350 constituent organizations.

I am aware that your Commission has heard much testimony, many statements and arguments concerning Public Law 414, the McCarran-Walters Immigration Act. In order to facilitate the work of this Commission, I will attempt in my presentation to stress specific facts, case histories and expert opinion drawn from the experience of those in the Los Angeles area who have had occasion to concern themselves with immigration and with related problems.

To begin with, let me emphasize that we do not believe that each and every provision of the McCarran Act is bad and should be rejected. However, it is our opinion that viewing the measure as a whole, the number of provisions that are objectionable from the standpoint of justice and American liberties far outweigh those that are acceptable.

Specifically, the presentation for the Jewish community will concentrate on a consideration of the national, and by inference racial, quota systems that are perpetuated by this bill. Further, I would like to consider with you the provisions regarding the exclusion of certain types of aliens and the provisions that concern the differential treatment of naturalized citizens of the United States as opposed to native-born citizens.

SPECIFIC OBJECTIONS TO THE QUOTA PRINCIPLES

The core of American immigration policy has been the concept of quotas based upon national origins. There is no question that the restrictions of immigration to the United States based upon this concept, grew from an era that was characterized by the violent isolationism of the years following the First World War. It sprung from a social climate infected by the vicious ideologies of a Ku Klux Klan, and it was crystallized and cast into legislative act during a time in which the notions of racial superiority were rampant. Witness theories not scientific claiming Nordic and Anglo-Saxon supremacy.

If this is so, the question may well be asked as to why during the past several decades no outcry has been raised against the national origins quota principle. From a public relations standpoint this question is not difficult to answer. Once a law is passed and once it is used on a day-by-day basis, public opinion is not easily aroused. Only flagrant abuse or dramatic cases of injustice draw attention to its operation.

Sometimes it is only when the door is opened to a frank and candid reconsideration of existing policy that the opinions of the American people come to make themselves felt. Indeed this has been the case when the McCarran-Walter Act was under consideration by the Congress of the United States. The legislative history of the measure is too well known to warrant repetition. The veto of President Truman, which was overriden by the narrowest of margins, well may have been sustained but for the physical inability of several Senators opposed to the bill to return to Washington in time to cast their votes. And the fact that the issue is one that continues to be of concern to numerous groups of the American population is borne out by the presence of all opposing the bill who are in this building in Los Angeles this morning.

But let us cast aside generalities and dogma. Let us turn to fact and scientific investigation as beacons that may illuminate the national-origins concept. Objective investigators such as Ashley Montague have pointed out that the common idea of race perhaps constitutes one of the most dangerous and tragic errors of our time. This racial concept, with its corollary of legislation based upon national origins, has been subjected to considerable scientific inquiry since the passage of the immigration law in 1924.

For example, as early as 1931, the psychologist Otto Klineberg presented findings that suggested the absence of any sort of racial hierarchy in intelligence. Continuing his work in 1937, the same investigator and his associates found that in the area of personality, differences among racial groups were small and unreliable.

But the notion of race dies hard. The uninformed points to obvious differences in physical appearance and generalizes from them to conclude that differences in ability to adjust, intelligence and personality must follow. On the other hand, the biologist Dahlberg has pointed out that the finding of one racial difference, as for example in physical appearance, does not necessarily imply the existence of other differences. Indeed, peoples may differ, but their upbringing, their culture, their relations to their fellow men may exert by far the more significant effects, while national origins as such are unreliable and useless guides in the study of individual differences among human beings.

Consider for a moment the actual scholastic achievements of foreign-born students in an American university. According to Dr. Clifford Prator, foreign-student adviser at UCLA, it would appear that foreign students frequently do slightly better in their academic studies than the total student body. Dr. Prator points out that this apparent advantage in favor of foreign students may be due partially to special consideration displayed by faculty members toward foreign students. He suggests that probably differences in achievement between foreign-born as a group, and native-born students are negligible.

An examination of scholastic records of students of the University of California at Berkeley reveals certain interesting facts. For example, students from China ranked higher in their studies than did students from Canada; students from Rumania and Germany did better than their fellows from England and Scotland. Of course this by no means suggests racial superiority or inferiority. Rather it points out the importance of factors of motivation and interest that vary widely. No single student group had a monopoly on high grades or low grades, nor was it true that the differences of achievement varied consistently by any conceivable sort of racial or national-origins grouping. For example, Danish students did relatively poorly, and they are of early Nordic theory; Swedish students did rather well, another Nordic group; students from Indochina did better than those from Japan.

Similar interesting information is furnished by some further analyses and data obtained in conjunction with a city-wide study of Jewish population conducted by the Los Angeles Jewish Community Council. For example, one may take home ownership as one measure of the extent to which the individual has become a stable citizen of the local community. If any sort of national-origins theory has any validity we might expect significant differences in the extent to which persons from different parts of the world settle down in their own homes and become stable, resident citizens. The facts, however, are to the contrary. For example, among male Jewish adults 60 percent of the native-born own their own homes. Among the Russian- and Polish-born, the percentage is 66 percent. And among those in Germany the figure is 60 percent.

Similarly, differences in occupation vary but slightly and inconsistently with national origin. For example, 18 percent of the native-born male adult Jewish residents of Los Angeles are occupied in some professional or semiprofessional

position. For German-born the percentage is 15 percent while it is 8 percent among the Russian-born.

On the other hand, in the proprietor and manager occupations, the percentages for native-born and Russian-born are very similar, 33 percent and 32 percent respectively, although only about 15 percent of the German-born are so occupied. Nor is it true that those Jewish adults born in any one part of the world have more difficulty in finding employment. In other words, percentage of unemployed at the time of the survey not only was small but also showed no systematic variation with place of birth.

According to Miss Dinah Connell, director of the Jewish Employment and Counseling Service in Los Angeles, among the displaced persons who have come to Los Angeles—

"The bulk of the people working do a variety of jobs which parallels pretty closely the variety which industry affords as a whole, with a noticeable difference that even though they have had a higher status and are more skilled at any one thing, they are willing to take anything which permits them to earn a living and carry their weight in all aspects of our economy."

Elsewhere Miss Connell states:

"It must be stressed that, as through the ages, the people who have come to this country from foreign shores have strengthened our economy as well as other aspects of our life and our experience."

Thus, it would appear that the occupational adjustment of foreign-born Jewish people in Los Angeles has been a positive one. It has been one that has enriched the life of the community much as the contributions of a native-born person might be enriching.

Let us consider further the adjustment process of those who although born on distant shores have made this country their home. Since 1934, 4,739 emigre families who had come to Los Angeles have received assistance on the part of the Jewish Family Service. Slightly more than half of this number arrived in our city during the past 5 years. Of all these cases, only 287 are still currently in need of assistance from this agency. Miss Freda Mohr, the executive director of the Jewish Family Service, has pointed out that 90 percent of all emigres make adequate and constructive adjustments to American life within a 4-month period after their arrival. Further, Miss Mohr indicated that there are no differences in the speed of adjustment between persons born in German, Austria, England, Sweden, or any other country. Whatever the adjustment differences are encountered frequently are related to conditions of age and health and to specific psychological difficulties that developed during the great traumatic experience that destroyed most of European Jewry. The success stories that we have seen here in Los Angeles are many. Some are the successes of everyday, common adjustment to a new way of life; others represent more dramatic integration into American culture.

For example, in 1948 a young European doctor came to Los Angeles. During a brief span of 4 years he has completed his internship and medical examination. He has repaid the various loans and tokens of assistance which it had been possible for the Jewish community to provide. He has become a respected and contributing citizen.

The fact that most emigres adjust quickly and effectively is borne out further by various scientific reports and collections of case histories that have been published in recent years. For example, the sociologist Maurice R. Davie in his book, Refugees in America, reports the following: Only 3.2 percent of young people who had come to this country in recent years were reported as having made a poor adjustment. Further investigation suggested that these persons had previous histories of maladjustment and of emotional instability. On the other hand, factors of national background seemed unimportant in the adjustment process. In the report of the United States Displaced Persons Commission, the DP Story, successful resettlements are discussed in detail and excerpts from case histories are given.

SPECIFIC OBJECTIONS TO THE QUOTA CONCEPT

American immigration policy since 1924 has been a static one. It has reached into the past and it has selected arbitrarily one particular year as an unalterably fixed reference point. This year, 1920, and the composition of the American population, as it existed then, has remained a guide line to immigration policy even unto this day. But social conditions are not static, even though our policies may be just that. This Nation's planning for immigration has not even considered

census data, other than those available in 1920. It has operated on the theory that growth by migration and a disturbance in the equilibrium of the American economy are synonymous.

But let us consider specifically our experience here in southern California. For all of Los Angeles County the population increased 49 percent between the years 1940–50. Some areas, such as the San Fernando Valley, more than doubled during this 10 year span. Still the buying power of the residents of Los Angeles and the level of economic well-being has risen higher than ever. The lesson is simple. Here is a striking example of economic expansion accompanying expansion in population. A mere influx of migrants does not mean economic and social disaster. And we have already indicated that racial and national origins make no difference. Nor does mere immigration. Rather the important considerations relate to the power of a geographic region to absorb effectively those that come to settle. We are in an expanding economy. Further, we can determine with the aid of economists, political scientists, and sociologists, the capacity for absorption of a country and this, much more than rigid principles based on out-dated information, may provide a more intelligent guide to immigration policy.

Furthermore, dispassionate consideration of the relative importance of birth rates and migration points to some often overlooked facts. As has been reported to this Commission in another community—and it warrants repetition—in 1933, 2,290,000 children were born in the United States; in 1947, the corresponding figure was 3,908,000. The difference between these two figures, 1,618,000, is considerably in excess of the total number of immigrants that came to the United States during the past 18 years. Thus, the factor of birth rate seemed to be considerably more important numerically than the factor of immigration in determining the increase in the total population of the United States.

The existing quota concepts as codified by the McCarran Act are self-defeating. If there were any rational basis for deciding that 154,000 people is the ideal number of permissible immigrants, consistency with current law would demand that a purposive effort should be made to secure this number of immigrants, not more, not less. But with the impossibility of transferring unused quotas from one country to another, actual migration figures have been considerably below the hypothetical quota figure that had been set. As statistics shown by Davies in his Refugees in America demonstrate, from 1925 through 1944, an average of a mere 17.5 percent of the total allowable quota actually was used.

Thus, we wish to submit that the concept of quotas as based upon national origin is unrealistic and static, and that it fails to consider the dynamic, the ever-changing character of the American community. While it is undoubtedly necessary to decide upon some limit to immigration to the United States, should this not be determined on a current basis? Should it be set once and for all and fortified by a specific act of Congress? Should not the test be current needs, current absorptive powers, current capacity?

Specific objections to provisions concerning excludable aliens

Not so many years ago, Emma Lazarus wrote her famous sonnet, the New Colossus, whose oft-repeated words are inscribed on the Statue of Liberty:

* * * Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost, to me,
I lift my lamp beside the golden door.

These words that have become a part of American folklore and a symbol of the enthusiasm and freedom of a growing country have become an empty and ironic husk in the light of the provisions of the McCarran Act.

Consider, for example, the provisions that may exclude from the United States aliens who have been certified by an examining surgeon as having certain named physical defects that may affect the ability of the alien to earn a living. We may well ask how many consuls would have admitted the great electrical genius Steinmetz, who was hunchback, or a cripple such as the artist Toulouse-Lautrec?

Mr. Sidney Kaplan, an immigration attorney in Los Angeles, has given thorough consideration to some of the provisions of the Public Law 414. A detailed statement of the changes suggested by him is being submitted for your consideration. It may be worthwhile to consider Mr. Kaplan's consideration of the act's section 212 (9), which contains language excluding all aliens who admit committing acts which constitute a crime involving moral turpitude.

Mr. Kaplan points out "that to commit a crime involves questions of intent, overt act, etc., far beyond the comprehension of an alien or of an immigrant inspector or of consular officials. Serious mistakes of law will be made in interpreting whether the given series of admitted acts constitute the essential elements of any particular crime."

The arbitrary nature that governs the provisions for exclusion of aliens further is exemplified by the power vested in the consul or the Attorney General to decide who, at any time, may become a public charge. The fallibility of human nature is such that this sort of discretion cannot but result in considerable and noteworthy hardships. We have taken pride in being a nation of laws, not men. Are we to depart from this American principle by vesting men, no matter how high their position, with powers which they may exercise arbitrarily or capriciously when no review is provided?

Other restrictions governing the admissions of aliens to the United States pertain to the determination of specific skills which would be substantially beneficial prospectively to the national economy, cultural interests, or welfare of the United States.

Miss Violet R. Shapiro, executive director of the Council of Jewish Women of Los Angeles, specifically commented in writing on this point. (And her other comments also are being submitted in writing for your consideration.) Miss Shapiro says:

"This concept of skills involves the use of specific contracts which must show the special need for the applicant and for which the applicant must be highly qualified. Because of the length of time involved in immigration proceedings, such contracts may not always be fulfilled, thus creating an uncertainty of status. This concept negates the contribution of the so-called average man, who, after all, still is the creative force of any nation. It is doubtful that this portion of the quota can ever be used up."

Indeed, this type of restriction makes an unwarranted assumption about human nature. It assumes that people trained in any one occupation cannot assume new skills. It runs counter to the concepts of democracy and freedom of opportunity which believe that every man must be given a chance to contribute to the common welfare in the manner in which he may make his most effective contribution. And, above all, this classification illustrates the vice of rigidity.

Specific objections to the deportation policy

We believe that the McCarran Act challenges the tradition of the equality of all citizens before law. Any provision which applies a different set of rules to persons who have become citizens by way of naturalization as opposed to those who are citizens by birth is totally inconsistent with principles of equal duties and privileges that are traditionally American. The naturalized citizen, exactly like the native-born, assumes the obligations of taxation and the rights and privileges of voting.

Another objectionable feature of the act concerns the retroactive character of provisions relating to deportations. Again let me quote from Mr. Kaplan's presentation:

"The general criticism against the deportation features of Public Law 414 is the fact that such provisions are made retroactive, notwithstanding that persons entered prior to the date of the enactment of the act * * *."

Banishmen as a method of punishment, applied exclusively to naturalized citizens who have violated specific laws, further punishes the innocent with the guilty. It affects the families of those who are held culpable even though these families are blameless, and even though they may be native-born or dependents.

Some implications of the McCarran Act

Throughout the world, peoples in many lands are looking to the United States for haven. It is probable that the United States alone cannot be a sponge able to absorb immediately the excess population of overcrowded areas in the world. But the very symbolic significance of an immigration policy hospitable to more than a trickle of those seeking to come to this country has considerable international implications. There are between 100,000 and 150,000 escapees from iron-curtain countries. There are, perhaps, 2,000,000 of German, Greek, and Italian expellees. There are considerable surplus populations in Italy, Greece, and the Netherlands.

A United States immigration policy that might absorb at least some of these many peoples well may set an example for other countries to devise similar policies.

Additionally, the policy exemplified by the McCarran Act constitutes ammunition for the verbal barrages of Communists everywhere. Abroad it serves as an example of racism and discriminatory action purported by Communists to be typical of the United States. In the United States the Communists oppose the McCarran Act, realizing perhaps that it has become customary to view their support of a measure as a "kiss of death." Indeed, the American Communist would seem to have no sincere interest in desiring the abolition of this law. Any substitute measure would be likely to succeed in making it possible for some refugees from iron-curtain lands to enter the United States. These hardly would be desirable situations for those in this country whose loyalties are to a foreign nation.

The McCarran Act has created strong barriers to the free communication from land to land. The policies that have been carried along with the passage of this law already have had effects. This has been the case in the coming of foreign students to the United States. Currently there are 30,000 foreign students in the United States; but, for example, at U. C. L. A. Dr. Clifford Prator, foreign-student adviser, reports in a recent interview that during this past year almost one-half of foreign students who had planned to come to U. C. L. A. at the last minute failed to do so, often without a clear-cut presentation of any reason. It would seem that this sudden and unusual drop in acceptable students is related to the fear-ridden thinking regarding any kind of visitor or migrant to this country.

REMEDIAL MEASURES

We wish to urge this Commission to recommend the abandonment of any policy based on the concepts of race and national origin. We believe that these concepts are inappropriate guidelines to immigration policy. We believe that they are untenable in the light of current scientific thinking, and we believe that they are in clear violation of the spirit of American freedom of opportunity. We urge this country to recognize that immigration is a two-way street and that the United States not only has benefited those that have come to it, seeking exile, but that in turn the exiles have helped build the United States.

Therefore, we urge that an immigration policy be developed which considers the individual dignity and rights and status of those seeking to enter. Communism, like all forms of totalitarianism, deals with man in the masses. Men are like ants. Men are cannon-fodder. Men are microscopic specimens. We believe that man is the creature of God. We believe in the dignity of man. We believe that a permanent Commission on Immigration should be established. We have done this with respect to importation of goods. We now have a Tariff Commission. Why not do the same with respect to the admission of human beings. Let's have a permanent Immigration Commission to establish a primary guideline in deciding upon a permissible number of immigrants based on the concept of power to absorb, rather than a specific quota based upon a historical period. It would appear that scientific study by social scientists would be called for to define and to predict the ability of this Nation to absorb effectively and constructively those who seek to settle here.

The Commission should be guided by the merits of individual applicants and not by the place of birth. Consideration should be given to the reuniting of families, but, other things being equal, admission to the United States should be based upon order of application.

The arbitrary powers vested in consular officials should be eliminated. Sufficient provisions for review of refused visas should be made.

In summary, we recommend the repeal of the McCarran Act. We propose the adoption of a law free of racist thinking and the establishment of a permanent Commission on Immigration that shall be guided by fact and not by historical fancy; by the rights and privileges of the individual and not by the ignominious perpetuation of dangerous fallacies.

Analysis of Public Law 414, With Suggested Changes or Amendments

(By Sidney Kaplan, immigration attorney, Los Angeles)

section 101 (a) (15) (b) visitors for pleasure or for business

Public Law 414 requires that an alien coming to the United States temporarily as a visitor or temporarily for business must have a residence in a foreign country which he has no intention of abandoning. Subsection (F), the student section, also has the same requirement. This is a departure from previous legislation. While at first glance it would not appear to involve any unusual hardship to any group of aliens, it makes it impossible for the United States to grant refuge to those unfortunate aliens in the future who are forced to leave certain countries because of religious persecution or political persecution, and who are unable to come to the United States because of inability to secure quotas. In the past such people would come to the United States on a temporary basis as visitors or for business while finding homes in other parts of the world. For instance, when the Communists took over all of China, under the old law there were many native-born Russians and other aliens living in China who were allowed to come to the United States as visitors, many of whom later proceeded to other countries; others were allowed to adjust their status in the United States. Our country was a haven for thousands of innocent victims of the mad rush of communism. Under Public Law 414 they could not qualify because they did intend to abandon their former residence.

The classes of aliens ineligible to receive visas and excluded from admission to the United States have been broadened under Public Law 414. Section 212 (a) (9) contains dangerous language wherein it excludes all aliens who admit committing acts which constitute the essential elements of a crime involving moral turpitude. To commit a crime involves question of intent, overt act, etc., far beyond the comprehension of an alien or an immigration inspector or of consular officers. Serious mistakes of law will be made in interpreting whether the given series of admitted acts constitute the essential elements of any particular crime. The section is indefinite and is bound to produce hardships on innocent persons.

Subdivision 212 (a) (15), which excludes aliens who are likely at any time to become public charges in the opinion of the consular officer or in the opinion of the Attorney General at time of application for admission, could result in unreasonable restrictions by way of interpretation in the hands of a prejudiced or too strict consular officer or Attorney General. It would seem more reasonable to try to establish some objective standard by which the possibility of public charge could be measured.

Section 241 (a) sets forth grounds for deportation. The general criticism against the deportation features of Public Law 414 is the fact that such provisions are made retroactive notwithstanding that persons entered prior to the date of the enactment of the act or that the conditions for which they are being deported occurred prior to the date of the enactment of the act (sec. 241 (d)). For instance, hardship will result in carrying out the provisions of section 241 (a) (4). Particularly, the latter part of the section, which provides that an alien who at any time after entry is convicted of two crimes involving moral turpitude, regardless of whether confined therefor, must be deported. There will be cases of aliens who have lived in the United States for many years who committed minor offenses involving moral turpitude when quite young (such as petty theft involving small amounts) and who have long since reformed, have married American citizens and have minor children or grown children, who will now be subject to deportation. The fact of rehabilitation is ignored. The section makes any alien convicted of two crimes subject to deportation whether sentenced to confinement or not.

It would seem desirable to provide safeguards for those aliens who were never confined in prison or who served very short sentences and who have been completely rehabilitated. Making grounds for deportation retroactive is bound to result in hardship to aliens who have lived here for many years and who have families in the United States who now find themselves subject to deportation under new legislation.

Section 244 sets forth new standards for suspension of deportation. The whole section borders on the ridiculous. It provides that suspension shall be granted only when the deportation of an alien would result, in the opinion of the Attorney General, in exceptional and extremely unusual hardship to the alien or to his spouse, parent, or child who is a citizen of an alien lawfully admitted for permanent residence. The various subsections require that the application be filed within certain time limits, that the alien live in the United States a certain number of years, and other restrictions.

The Immigration Act of 1917, as amended, formerly required a showing of serious economic detriment to a citizen or legally resident alien who is the spouse, parent, or minor child of such deportable alien, or 7 years' residence in the United States, including residence in the United States on July 1, 1948. Even under the old act there was much difficulty in interpreting what was meant by "serious economic detriment." This difficulty will now be magnified many times over by the unusual tricky language "exceptional and extremely unusual hardship." There is no objective standard by which to judge what is meant by "exceptional and extremely unusual hardship." Future suspension cases will more than ever depend upon the whim of the hearing officer. The exclusion-minded hearing officer will never make a finding of hardship that will fall within the meaning of section 244. The fair-minded hearing officer will find it difficult to determine whether the facts of any particular case fall within the meaning of section 244.

The entire section should be rewritten to set forth simple, clear requirements. An objective standard should be set forth that can be applied. The section should be rewritten so that aliens cannot come into the country illegally in the future and acquire legal residence ahead of those aliens who are patiently awaiting their turn under the quotas in foreign countries. The purpose of the section was to provide relief for those aliens who have been in the United States for some time or who found themselves in the United States at the beginning of World War II and were unable to leave and since then have acquired deep roots in the United States. In other words, the section should be rewritten to solve the problems of those aliens who are entitled to suspensions of deportation and at the same time close the possibility for aliens to acquire residence in the United States in future years by coming illegally and then later seeking to have their status adjusted. The discrimination set forth in section 244 (b) against natives of Canada and Mexico or any adjacent islands should be abolished. The suspension of deportation should be available to all or to none—not to certain groups.

RIGHT OF APPEAL WHEN VISA REFUSED

In the administration of our immigration laws, we have never recognized the right of an alien to appeal from a decision of a consular officer refusing a visa; that is, no appellate machinery has ever been set up under the laws to provide for a review of a consular officer's acts. Since the rights of aliens to emigrate to the United States is a vital matter to citizens of the United States and the refusal of a visa to an alien might involve the separation of families, it would appear that some provision should be made for reconsideration of a consular officer's decision in refusing a visa, to safeguard against a hasty, unreasonable, or arbitrary decision on the part of a particular consular officer. An appellate board could be set up in the office of the Secretary of State with power to review the entire case and to affirm or reverse the decision of the consular officer. At least, it would provide an opportunity for relatives and friends in the United States to submit such evidence as they may have in favor of the aliens before designated officials in the United States, and thus safeguard the rights of all persons involved.

REENTRY PERMITS

Section 223 of Public Law 414 provides for the issuance of reentry permits to aliens who have been lawfully admitted for permanent residence who intend to depart temporarily from the United States. Prior immigration laws provided for the issuance of reentry permits. No new ideas are carried forward into Public Law 414. However, the whole subject of reentry permits should be reexamined. The present policy of issuing permits and the manner in which they are issued is very misleading to aliens. It is only natural that an alien receiving such a permit should feel that he can safely leave the United States on his temporary trip abroad and return in all safety to the United States and be readmitted into the United States. It is true that the application for a permit and the permit itself have language warning the alien that when he returns

he is subject to all the excluding provisions of the immigration laws, but, too often, an alien does not understand the warning. He leaves in good faith and then finds that he cannot reenter the United States for one of many reasons. A fair method of handling this problem would be to provide for preexamination of each alien who applies for a reentry permit. At the time of the application for such a permit, the alien could demand the right of preexamination and be accorded a hearing in which any excluding feature as may apply to the individual alien can be brought out into the open and acted upon and the alien advised whether he will be readmitted or not should he leave the United States. The rights of an alien would thus be safeguarded and protection afforded his family.

If the alien chose to leave the United States without availing himself of the right to preexamination, then he should be subject to all the provisions of the immigration laws. In other words, the alien could ask for the preexamination or could waive it. To illustrate: Many aliens are not aware that if they commit a crime involving moral turpitude after they enter the United States they may still be permitted to live in the United States and even secure citizenship later, but should they depart from the United States they then become excludable because of the commission of a crime prior to entry. Too often an alien forgets that 20, 30, or 40 years ago he did commit such a crime, applies for a reentry permit to take a vacation to Europe or South America with his family and finds upon his return that he is excludable from the United States. If he had submitted to a series of questions in preexamination proceedings, the facts of the crime would have been brought out and he would have been advised of the risk he took if he left the United States.

We find that under present procedure many aliens are actually misled by the mechanics in connection with the issuance of a reentry permit.

Statement Based on Interview With Los Angeles Polytechnic High School Officials

The "foreign students" of Francis Polytechnic High School: who they are and what they are achieving in the United States

Description of the group

At John H. Francis Polytechnic High School in Los Angeles we have at the moment 500 boys and girls who are called "foreign students." They come from more than 20 countries, and they are in this school because they do not know enough English to be able to do regular high-school work. The group is called "foreign students" simply because we are unable to think of a short name which would accurately label the 500. Actually, only 78 of the 500 are genuine foreign students; the rest, chiefly immigrants, DP's, and American citizens who have lived in foreign countries. There is a breakdown of the group:

	Number	*Percent*
Foreign students (with 4E visas)	78	15.6
Foreign visitors (with 3 (2) visas)	52	10.0
Immigrants	52	10.0
Displaced persons	47	9.4
On diplomatic visa	1	
United States citizens	270	54.0

The children who are citizens of the United States are chiefly of Chinese or Japanese descent; 40 are "Kibei," or Japanese-Americans who have lived in Japan; and 312 were born in China of American-Chinese parents. The remaining 17 citizens have lived in Europe or Mexico.

Though these children are from many different places, one may make certain generalizations about their backgrounds:

1. Most face grave financial problems. Many are completely self-supporting, either because they have no family here as in the case of many of the Kibei children, or because their families feel that their children should start to work at a very early age, as happens among the Chinese-Americans.

2. As I suggested in the previous paragraph, the "foreign students" often have grave home problems. Among the "Kibei," for example, we frequently find that the students are here in the United States alone because their parents were not able to gain United States citizenship. Despite the heartbreaking separation involved, the parents have sent their children back to the United States because they feel that this is their true country.

Observation leads me to believe that at least half of the real foreign students were led here by family and patriotic ties. I know of many boys and girls from Japan whose parents and even brothers and sisters are American citizens or residents of many years' standing, yet the students themselves could only enter the country as foreign students.

3. The general physical condition of these 500 students is noticeably below the average for children raised in this country from birth. While dental problems abound, the specter we fear is tuberculosis; each year when we conduct X-ray programs we find four or five active cases of TB, almost always among oriental children who are working beyond their strength and living in the crowded conditions of Japanese Town and China Town.

4. The outstanding character trait of the "foreign students" is their self-discipline and sheer bulldog determination to get an education in spite of all obstacles. As long as their health permits it, they will work full time, attend school full time, and put in hours studying each and every night. We teachers frequently exclaim that we could not possibly endure the hardships which continually face most of our students.

These boys and girls from other lands are deeply grateful for the schooling they are getting. They truly find the air of a democratic country sweet to breathe. The following remarks by a Chinese-American girl typify the attitudes of our new Americans:

"I like America very much. * * * America, the rich, large, and splendid country, is the best place to live in all the world.

"I like to live in this Nation because we have our freedom and liberty and democracy of justice and equality. Also, we have the Constitution to protect our homes and our lives, besides we all have our opportunity to school free; that is the important opportunity in our lives. People have come here to seek what they would have, freedom. This treasure outshines all others in the world.

"As this is so valued, we have to be sure that we are going the right ways and doing the right things with freedom."

Scholastic achievements

I believe our faculty in general would agree with me that the most industrious and cooperative students in the school are the 500 "foreign students." The great majority of these students work from 3 to 8—even 10 or 11—hours a day outside of school; it is rare to have a student fail to turn in assigned work. In the unusual case of a student who is not doing his home-work assignments, nearly always the cause is that the child is carrying an unreasonable workload. I believe that the reason that our students are so hard-working is principally that they have a much greater respect for education than do most native American students, who take the great facilities of our schools for granted.

The majority of our students plan to go to college, though most of them will be nearly or completely self-supporting during their four or more years of higher education. We are frequently given cause to feel proud of the accomplishments of our students in college. All of those we have sent to the University of California at Los Angeles are making at least a B average—that is, in competition with native-born English-speaking students presumably of the higher levels of intelligence.

As far as I know, the only students in this school with intelligence quotients of more than 140 are foreign students. No one racial group has the monopoly on the high scores; they are very evenly distributed. Exact figures on intelligence are not available because it is generally unsatisfactory to give intelligence tests to students who know little or no English.

The true backbone of the scholarship society in this school is the foreign students, according to two of the three sponsors to whom I have talked. Although it is more difficult for foreign students to get into the society in the first place because of special regulations governing their admission, as well as the language handicap they all have, we usually have a higher percentage of members from our department than from the regular classes.

The attendance of the foreign student group is the best in the school. In fact, it is too good; boys and girls sometimes drag themselves to school when they are really too ill to be out of bed.

Here is the breakdown of the marks given to the foreign students in all regular classes, physical education excepted, for the semester ending June 20, 1952:

Of 628 marks given, 24 were Fail (3.8 percent), 258 were C or D (41 percent), 193 were B (30.7 percent), 153 were A (24.4 percent).

In other words, although these students who, in the majority of cases, had a language handicap were in competition with English-speaking students, 55.1 percent of the marks they received were A or B.

Furthermore, of the three Polytechnic graduates who last year received university scholarships, two were foreign students—one a Chinese-American, the other a DP of German extraction. Both of these boys made remarkable records here at Polytechnic. The brother of the German boy, who graduated from this school 2 years ago, while working full-time in a chemical laboratory, is making very high grades at UCLA. (I understand he is making an A average.)

Incidentally, the Chinese boy is our first student to score 100 on the British Matrices Test. That percentile score indicates an I. Q. of 155 or better.

For financial reasons the majority of our graduates go to LACC, though we have sent students to many schools in the country. Those few who can afford it go to USC and UCLA, and many who are interested in special courses in such subjects as business, sewing, design, or photography, are attending Metropolitan Junior College and Los Angeles Trade-Technical College. They all do respectably well, even with their language handicaps, and some achieve very nice results. For example, we have two Chinese boys who are majoring in photography at Los Angeles Trade-Technical: One has been classified as 1–8 by his draft board (that means a 1-year deferment because of his high scholastic achievement), and the other is in class 2–S—that is a more or less permanent student deferment—and furthermore, he is rated first in his class. That is not at all bad for two little Chinese boys who couldn't even speak English 3 years ago. I believe that at least two of our UCLA boys have educational deferments.

Another success story is Douglas Wong, a boy who made fine grades here at Poly but developed TB in his last semester. Now that he is out of Olive View Sanitarium the State rehabilitation department is sending him to UCLA as a result of their favorable test findings.

We have many servicemen among our former students. At the moment, I know of at least 40 of our boys who are in the Armed Forces. Here again, these boys of foreign backgrounds are making an amazingly fine adjustment to what must be, at least during the first dozen weeks, a difficult new environment. We have several sergeants and quite a few corporals. The field to which many are assigned is interpreting and intelligence work, where oriental students are especially useful for their knowledge of Chinese and Japanese. Of course our first draftees had to go directly overseas without the opportunity of going to special schools, but recently the chances for special training have been better.

The story of our three Miyasaki brothers may be of interest. George, Bill, and Bob are Kibei; their aged Japanese parents live in Japan. When the three boys returned to Los Angeles, they had no money and remembered very little English, but they were determined to get an education, so they struggled valiantly against what seemed at times overwhelming odds, not only supporting themselves while attending school from 8:30 to 3:10 daily, but sending money back to their needy parents.

Bill and Bob managed to get deferments till they could graduate, but George was drafted about 2 years ago. George, who is now a sergeant, has been in Germany for a year. We are proud of his promotion because he is the only Japanese-American in his outfit and the only man with a language handicap. Bob, a corporal, is now in the Army school at Monterey, and Bill, also a corporal, is in an Intelligence school in Denver.

The story of these boys serves as an example of the wholehearted manner in which our "foreign students" embrace American life, overlooking hardships and making the best of any situation into which they are placed.

Here is a reaction which is typical of the attitude of our children. A Kibei girl writes:

"Freedom and democracy fill up in every Americans' hearts. In acts, they really express their freedom. Under the strong Government, the people are very happy in their sweet lives.

"O America, I love you! You are too kind to the people. I hope that you would lead the world into the happiness and peace way."

Young people who see so clearly the blessings of this great country will inevitably be useful and loyal citizens.

Council of Jewish Women of Los Angeles, Service to Foreign-Born Department, Statement on the McCarran Act

The United States of America is a Nation of immigrants developed on the principle that a society is composed of individual persons, each of whom has the right to be self-sufficient through his own labor, to gain freedom through self-expression, and to pursue these objectives, which will give him happiness and satisfaction. These are the principles of a democratic individualistic society premised on the doctrine that barriers set up against free movement—economically, socially, or politically—yield to tyranny and oppression.

To us, who are Americans and convinced of our democracy and its intent, the restriction of immigration may seem to be a relatively minor matter. To the rest of the world looking to America for practical demonstration of democracy in action, the immigration code, principles and procedures, looms large. It gives a warped perspective of our over-all philosophy in stressing the restrictive and unwelcoming attitudes. Immigration legislation is the area with which most foreign countries and peoples come in contact. It is the keyhole through which the foreigner looks into the United States. We, in turn, by overly restrictive legislation, rule out the potential contribution and strength which immigrants have historically brought with them to our shores.

The following are some of the isolation features of the McCarran Act:

The McCarran Act creates a 100-percent-preference quota and thereby stops the flow of normal immigration. The first 50 percent of the quota is for the use of persons with high skills who would be "substantially beneficial prospectively to the national economy, cultural interests, or welfare of the United States" (sec. 203 (a) (1)). This concept of special skills involves the use of specific contracts which must show the special need for the applicant, and for which the applicant must be highly qualified. Because of the length of time involved in immigration proceedings, and because of changing conditions, such contracts may not always be fulfilled, thus creating an uncertainty of status. This concept negates the contributions of the so-called average man, who, after all, still is the creative force of any nation. It is doubtful that this portion of the quota can ever be used up.

The next 30 percent of the quota is for parents of American citizens, and the remaining 20 percent for spouses of alien residents. The reunion of immediate families is all to the good. However, if the quotas of these preference groups are not used up 2 months before the end of the quota fiscal year, they may then be shifted to other categories or to the general quota. It is almost impossible to process immigration cases in volume within 2 months. The effect of this provision will be to practically stop immigration. The continued mortgaging of quotas for DP's already admitted and still coming in almost makes any continuing quota system a farce in those instances where the quota is oversubscribed to the year 2000.

The McCarran Act eliminates the 5-year statute of limitations and makes deportation provisions retroactive notwithstanding that the individual had entered prior to the passage of the act, or that the condition causing deportation occurred prior to enactment. This will create a jeopardy to many persons who had entered and remained in this country in accordance with the then existing laws. Our Government has recognized the need to provide methods for adjusting the status of persons who have been residents for many years, or who have dependent family ties here. The change in the McCarran Act necessitates establishing not only "economic detriment" but "exceptional and extremely unusual hardship" to an American spouse or minor children. This leaves the complete responsibility of evaluating human misery on a purely subjective basis.

By ordering a home investigation of all persons applying for citizenship we are making a departure from a fundamental principle of the American Constitution which has always held that a man's home is inviolate except when a search warrant is issued.

The new addition of "ethnic" to the already existing questions of race and nationality is a foreign note on American documentation. Ethnic in the anthropologists' language refers only to cultural patterns and mores. What can it add to our understanding of eligibility for admission to America?

Empirical data regarding home ownership and occupation of native-born and foreign-born Jewish residents of Los Angeles, Calif.

[Based on Los Angeles Jewish population study, sponsored by Los Angeles Jewish Community Council, 1950]

I. HOME OWNERSHIP, (MALE ADULTS, ONLY)

	Percent
Native-born (341 of 569)	59.9
Russia, Poland, Baltic-born (144 of 220)	65.5
Germany, Austria-born (21 of 35)	60.0
Other foreign birth (89 of 125)	71.2

II. OCCUPATION (PARTIAL RESULTS ONLY, MALE ADULTS ONLY)

	Percent
Professionals and semi-professionals:	
Native-born (101 out of 561)	18.0
Russia, Poland, Baltic-born (15 of 210)	7.5
Germany, Austria-born (5 of 34)	14.7
Other foreign birth (17 of 118)	14.4
Proprietors and managers:	
Native-born (187 of 561)	33.3
Russia, Poland, Baltic-born (67 of 210)	31.9
Germany, Austria-born (5 of 34)	14.7
Other foreign birth (44 of 118)	37.3
Unemployed or part-time employed and looking for other work:	
Native-born	2.4
Russia, Poland, Baltic-born	2.9
Germany, Austria-born	2.9
Other foreign birth	3.4

The CHAIRMAN. Now, if it is true that the McCarran Act has the defects that you point out, in the prepared statements you have submitted, how do you account for the fact that the Congress of the United States passed it and then repassed it over the President's veto, which actually requires a two-thirds vote?

Mr. LIEBERMAN. Well, first, I think the Members of Congress in large measure were influenced by the argument that here is a codification of immigration and naturalization laws. We haven't had naturalization and immigration laws codified for a long time. We have been having a crazyquilt, a patchwork thing. Each year Congress would adopt new laws and nobody attempted to gather them together. Now here a subcommittee has diligently worked in giving us a codification, and they thought they ought to vote for this codification.

The CHAIRMAN. But codification wasn't the only matter that was dealt with in that new act.

Mr. LIEBERMAN. Well, here is another thing that I think possessed Congress. We are living in an age in which we are bordering on a hysteria because of the necessity to contend with Communist infiltration into this country, and I think that has been so whipped up that we have a psychology of fear of foreigners.

I mentioned in my prepared statement that maybe over a period of years we should have pointed out from time to time the error of the original exclusionist policy in its discriminatory racial features, and yet nothing was done about it because we were waiting until dramatic injustices arose. On the contrary, this anti-immigration, this anti-foreign feeling has been constantly whipped up over a long period of

years and we are now almost bordering on a feeling of frenzy and fear for the foreigner.

The CHAIRMAN. Thank you very much.

Is Mrs. Rugeti here?

STATEMENT OF MRS. DAN RUGETI, REPRESENTING THE PACIFIC SOUTHWEST BRANCH, NATIONAL WOMEN'S LEAGUE OF THE UNITED SYNAGOGUE OF AMERICA

Mrs. RUGETI. I am Mrs. Dan Rugeti, 215 North Layton Drive, Los Angeles.

I represent the Pacific Southwest Branch of the National Women's League of the United Synagogue of America, and wish to read a prepared statement.

The CHAIRMAN. You may do so.

Mrs. RUGETI. As cochairman of the Regional Committee on Social Action of the Pacific Southwest Branch of the National Women's League of the United Synagogue of America, responsible for the supervision and direction of the membership of 29 synagogue sisterhoods, with an aggregate membership of some 6,000 members, I wish to voice our objections to the McCarran-Walters Immigration Act.

Citizenship should assure security and stability for all on an equal basis. It is against American tradition and conviction to impose on any individual the requirement to state religious belief, whether in relation to immigration, voting, civil service, employment or any other phase of life.

It is inconceivable to us that a country born of and developed by peoples of every nation and religion should pass legislation which:

A. Creates a second-class citizenship in the last stronghold of democracy.

B. Creates distinction between native-born and naturalized citizens.

C. Creates prejudice against national groups, all of whom have made valid and important contributions to the cultural, industrial, and political life of our country.

We therefore add our objection to that of other organizations concerned with strengthening, not destroying our democracy. It is our earnest conviction that this legislation jeopardizes the freedoms and principles for which our ancestors, fathers, and brothers fought and died.

The CHAIRMAN. Thank you.

Mrs. RUGETI. Sir, I do have another statement here from the president of the southern California region of the Rabbinical Assembly of America, Rabbi Max Vorspan, who was not able to be present. May I leave it with you?

The CHAIRMAN. We will put it in the record at this point.

(The statement follows:)

STATEMENT SUBMITTED BY RABBI MAX VORSPAN, PRESIDENT, SOUTHERN CALIFORNIA REGION, THE RABBINICAL ASSEMBLY OF AMERICA

SOUTHERN CALIFORNIA REGION,
THE RABBINICAL ASSEMBLY OF AMERICA,
612 South Ardmore Avenue, Los Angeles, Calif., October 15, 1952.

PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
Federal Building, Los Angeles, Calif.

DEAR SIR: As president of the southern California region of the Rabbinical Assembly of America, representing the spiritual leaders of 30 synagogs in this area, I wish to express our objections to the McCarran-Walters Immigration Act.

We believe that it is contrary to American tradition and conviction to require any individual to state religious belief or origin, whether in relation to immigration, voting, civil service, education, employment, or any other phase of life.

A country created and developed by peoples of every nation and religion should not pass or encourage the introduction of legislation which—

1. Creates a second-class citizenship in a democracy.
2. Creates distinctions between native-born and naturalized citizens.
3. Creates prejudice against national groups, many of which have made vital contributions to the cultural, economic, and spiritual life of our country.

We wish to go on record as expressing the opinion that this legislation places the basic freedoms and principles on which our country was founded in the gravest jeopardy.

Rabbi MAX VORSPAN, *President.*

The CHAIRMAN. Is Reverend O'Flaherty here?

STATEMENT OF THE RIGHT REVEREND RAYMOND O'FLAHERTY, DIRECTOR OF CATHOLIC CHARITIES OF THE ARCHDIOCESE OF LOS ANGELES

Reverend O'FLAHERTY. I am Rev. Raymond O'Flaherty, director of Catholic charities of the archdiocese of Los Angeles, 855 South Figueroa Street, Los Angeles.

Although the Catholic resettlement committee of the archdiocese presented a statement this morning, I have been asked, on behalf of Catholic charities, to present a statement in the name of the archbishop, the most Reverend J. Francis A. McIntyre, archbishop of Los Angeles. With your permission I will read it.

The CHAIRMAN. We shall be glad to hear it.

Reverend O'FLAHERTY. Gentlemen, may I thank you for the opportunity accorded me to participate in the deliberations of your committee on a most vital problem—a problem vital for America and also, and especially, for the suffering peoples throughout the world.

It is not my intention to deal with specific problems of individual national groups as they exist under present legislation. Rather would I use the few moments allotted to me to emphasize, and broadly to apply, certain principles which in my judgment, and in the judgment of those whom I represent, are basic to any sound legislation in the area of our present concern.

These principles are—

1. An American policy of immigration should be consistent with our American belief in the equality of all men.
2. An American policy of immigration should be practically related to the laws of justice and of charity which govern men and nations, and to the priorities which these laws impose.

On the basis of the above principles, broadly applied, may I submit that—

1. The national origins formula, basic to present legislation, is not sound, since it violates both the above principles.
2. Sound immigration legislation must basically consider the needs and resources of our own economy; it must then consider the relative needs of those who are to be admitted into our country.
3. The consideration of relative needs of those who are to be admitted into our country will, on the basis of the principles we have enumerated, give priority to such persons, in their own country, here, or elsewhere, as are the victims of foreign political philosophies, refugees and expellees, and such persons as are suffering from widespread economic distress. It would allow of no such anomaly as unused quotas.
4. Sound legislation based on the above principles is obviously as urgent as are the needs of those whom it would benefit. The law of charity would dictate that there be no delay in its enactment and that special interim legislation be promoted for the benefit of those persons who present urgent established need, such as displaced persons whose cases are already processed.

In conclusion, may I congratulate the committee on its deep, genuine interest in the problems of suffering humanity throughout the world and in our great country's opportunity to help. Sound immigration legislation will serve to establish unity and the confidence of millions of people the world over who look to us to lead the way in establishing a peaceful world where freedom and justice and charity will be the birthright of all men.

Commissioner O'GRADY. In view of your criticism of the present immigration system, what would you propose as a substitute?

Reverend O'FLAHERTY. Monsignor O'Grady, I agree with the gentleman who second preceded me who in his statement said that you can't get a static substitute. I think you have to get a substitute that is flexible, that is based on sound principles, and then it has to be periodically evaluated. I don't believe that the whole United States can draw up such a formula. I think that the intelligence and interest of a group like this Commission after these hearings will be well qualified to draw up such a program.

The CHAIRMAN. Well, we are interested in having concrete proposals also.

Reverend O'FLAHERTY. I think if you get your basic principle solid first—it seems to me that the place where our present legislation falls down is that it started off on a false basis. If you are going to build a house on a shaky foundation, you will never have a house. If you get sound principles as a basis for legislation, then I think with modification you can build a good solid program.

The CHAIRMAN. Thank you.

Is Mr. Bozzani here?

STATEMENT OF AMERIGO BOZZANI, REPRESENTING THE AMERICAN-ITALIAN DEMOCRATIC COMMITTEE AND AMERICAN COMMITTEE ON ITALIAN MIGRATION

Mr. BOZZANI. I am Amerigo Bozzani, 401 Sunset Boulevard, and I represent the American-Italian Democratic Committee and the American Committee on Italian Migration.

I have a prepared statement for the record and would like to make a few brief remarks now.

The CHAIRMAN. You may do so.

Mr. BOZZANI. Of course, the position of Italian immigration is being heard time after time, but I would like the rest of my fellow countrymen, the opinions of the Italians and the rest, to have the proper consideration at the due time. I hope you will give it to them.

The restriction under the McCarran Act is so tightly imposed that most Italians could not be admitted to the United States, because you know that not long ago our great maestro of the grand opera of New York was detained, Arturo Toscanini.

I would like to emphasize at this time that the national restrictions of Italian immigration since 1922 have been unjust and should be removed. They are opposed by virtually all fair-minded citizens. I think they are unrealistic, unfair factually, historically, socially, and economically.

As you know, strong criticism of this phase of the act have been voiced by Archbishop Cushing of Boston, Rabbi Nadich, Senator Lodge, Representative Kennedy, and President Truman himself and countless other outstanding authorities of our Nation.

The CHAIRMAN. Rabbi Nadich has testified and the Archbishop sent a statement to this Commission. Both Senator Lodge and Representative Kennedy have also testified. Was there anything else you wished to say?

Mr. BOZZANI. Yes; I think the McCarran Act should be repealed. The act is unreasonable, dangerous, and discretionary. It has even given too much discretion and authority to the Attorney General. Frankly, any alien could be excluded at any time or for any cause, valid or invalid.

I think the people of this country and the people of the world cannot possibly accept the McCarran Act, which sets up the determination of the total number of immigrants to be admitted and the nation from which such immigrans must come. It is obvious that such provision is unduly restrictive and in comparison both with needs of the United States and with needs of all specific countries and the needs of Italy it presents an outstanding example of gross inadequacy.

It is of course equally obvious that, in dealing with individual cases, the act does not adequately protect the rights of those subject to deportation, exclusion, and denaturalization; and it does not provide proper adminisrative procedures in general.

I present to you the desire of our committee, and I hope you will give them due consideration. I want to thank you gentlemen and express my sincere appreciation for permitting me to present to you the statement which I hope in due time you will give due consideration.

The CHAIRMAN. Your prepared statement will be inserted in the record.

(The prepared statement submitted by Mr. Amerigo Bozzani is as follows:)

STATEMENT OF AMERIGO BOZZANI ON BEHALF OF THE AMERICAN-ITALIAN DEMOCRATIC COMMITTEE, AND AMERICAN COMMITTEE ON ITALIAN MIGRATION

My name is Amerigo Bozzani. My home is in Los Angeles and my place of business is located in this city at 401 Sunset Boulevard. I am chairman of the American-Italian Democratic Committee, an organization which has been effective here since 1930, and also chairman of the American Committee on Italian Migration of Southern California. I speak on behalf of those organizations and also from my own experience—having been born in Modena, Italy, in 1883. I came to America in 1901, returned briefly to Italy at the end of 1905, and returned to the United States in 1906. I became an American citizen on November 11, 1911, in Poughkeepsie, N. Y. I came to California at the end of 1911, and have lived and worked in this area since that time—especially with the Italian-American community here—I feel that I am familiar with many of the problems confronting the Italian people, and the problems confronting the Italian-American people here, and the problems of your Commission and this country respecting immigration.

In 1949 I had the opportunity of making an extended visit to Italy. At that time, I reconfirmed many of the thoughts which we Italian-Americans have on the subject of immigration and naturalization and I appreciate the opportunity of now briefly presenting to you some of those thoughts, ideas, and suggestions.

The Marshall plan and the ECA have done a magnificent job in Italy, but the serious economic problems still remain due to overpopulation—close to 50 million people (increasing at the rate of 400,000 per year)—who have to live in an area 50,000 square miles smaller than the state of California—badly shaken and terribly impoverished by the consequences of two world wars, the African war—the Albanian and Greece wars created by the blunder of 20 years of fascism. Millions of people, due to the lack of funds, have been forced to double up in small homes with no sanitation, and just enough food to exist. The soil of Italy is only about 33 percent arable, due to the mountainous terrain—their fertility is greatly reduced by the lack of fertilizer for the past 20 years; consequently this has greatly reduced the output of agricultural products.

The lack of coal, and iron, to say nothing of oil, is a severe handicap for the Italian economy. Italy has to get raw material from distant markets, pay for them at high prices, and the industry forced to employ more men than necessary in order to reduce unemployment. Consequently, the finished products become so high that it is almost impossible to compete in foreign markets.

I believe in Italy, there are about 5 million people unemployed—three I would say part time; and over 2 million people permanently, who constitute the flower of the new generation; highly intelligent, healthy, who detest charity, their only desire is to have the opportunity to be useful to our great society, willing to go anywhere, providing some protection is given them.

This great army of unemployed, I have observed in hundreds of interviews with them, are looking to the United States for leadership in finding the solution of the distribution of this surplus of population on those continents which would be for their benefit.

These 2 millions of healthy and intelligent young men, who are well informed as to what is going on in the rest of the world, willing to work but without the opportunity to do so, and the doors of immigration closed to them; constitute a great danger and in desperation sooner or later, I fear, will join the forces of communism.

Italy today represents the great bulkhead of offenses and defenses against communism; but the only way to make secure that defense will stand in the event of an attack by the Communists, is to find a way that at least 300,000 a year of such unemployed will find a place to go for the next 10 years.

In regard to Italy, it should be noted that in the period from 1900 to 1910 Italians immigrated to the United States in a number over that 10 year period, of 2,000,045—an average of over 200,000 a year. By the act of 1921 this had been decreased to 42,000 a year. Under the national-origins system it was diminished to 5,800. This cutting off of immigration from Italy was used by the Italians as an excuse for the imperialistic policy which they adopted. Relief is

even more necessary now for the Italian nation and the peoples of Italy; but the McCarran Act, instead of offering any such relief, makes the situation even worse. This worsening of the situation is particularly critical in the light of our current foreign policy, and the strong need which we have for a favorable relationship with the peoples of Italy, as well as of the rest of the world.

Undoubtedly your Commission has already heard a great deal of testimony respecting the McCarran Act. It is my guess that most of that testimony, just as most of the opinion which has reached me in this community, is negative and opposed to the McCarran Act. This would be expected, because that act is obviously discriminatory; it is certainly opposed to the best interests of the Italian people, as well as a great many other peoples; plainly, it should be stringently revised and amended—or, even better, completely repealed—opening the way for new and proper legislation on immigration and naturalization, which has long been required, and which must now be quickly and properly enacted, in order to preserve the best interests of this country, and of the other peoples of the world whose welfare and whose good will is of vital concern to us.

The national origins restrictions of the McCarran-Walter Immigration Act of 1952 are unjust and must be removed. They are opposed by virtually all fair-minded citizens. They are unrealistic and unfair factually, historically, socially, and economically.

As you know, strong criticisms of this phase of the act have been voiced by Archbishop Cushing, of Boston; Rabbi Nadich, Senator Lodge, Representative Kennedy, President Truman himself, and countless outstanding authorities of our Nation.

It is certainly not pro-American to breed hatred of foreign peoples—particularly those who have proved themselves invaluable adjuncts to American life. And, wholly aside from the understandable Christian desire to aid fellow human beings who are in distress, and who we can so easily help—is the additional practical consideration of not flying in the face of our own policy of generating and preserving good will in those areas which we are trying so hard to keep on the side of the free world—and where we can surely succeed, if we will merely act intelligently, and not yield to isolationist errors which provide such fertile ground (as does the McCarran Act) for adverse propaganda.

The act gives unreasonable and most dangerous discretion to the Attorney General (practically any alien could be excluded from this entry at any time, and for any cause, valid or invalid).

While there are a few good features in the act (such as the ending of the bar to citizenship for persons of certain oriental races), the bad features by far outweigh the good.

The people of this country and the peoples of the world cannot possibly accept, for example, the features in the McCarran Act which set up determination of the total number of immigrants to be admitted and the nations from which such immigrants may come. It is most obvoius that such provisions are unduly restrictive in comparison both with the needs of the United States and the needs of other specific countries—and the needs of Italy present an outstanding example of the gross inadequacies of the McCarran Act and of our whole recent immigration policy.

It is of course equally obvious that, in dealing with individual cases, the act does not adequately protect the rights of those subject to deportation, exclusion, and denaturalization; and it does not provide proper administrative procedures in general.

On behalf of myself, and the others whom I represent, I wish to sincerely thank the President of the United States and your Commission for the splendid work which has been done and the progress which is now being made in this extremely important field of immigration and naturalization; and for the opportunities presented to the people by these hearings.

In conclusion, gentlemen, I wish to say it is my sincere feeling that everyone would gain, the United States in particular, by a liberalization of our immigration and naturalization policies. The peoples of Italy need and desire the chance to improve their own lot in life; they would look favorably upon improved relations with the United States—certainly the best way to secure these improved relations would be by opening wider the door to immigration which is now, to all practical effects, shut bluntly and insultingly in their faces.

The CHAIRMAN. Is Albert A. Hutler here?

STATEMENT OF ALBERT A. HUTLER, CHAIRMAN, COORDINATING COMMITTEE FOR THE RESETTLEMENT OF DISPLACED PERSONS IN SAN DIEGO

Mr. HUTLER. I am Albert A. Hutler, representing the Coordinating Committee for Resettlement of Displaced Persons in San Diego, of which I am chairman, 37 Forty-third Street, San Diego, Calif.

I am speaking as the chairman of the Coordinating Committee for the Resettlement of Displaced Persons in San Diego. It consists of a Catholic, a Protestant, and a Jew, who are interested, and it operates under the Community Welfare Council.

I am also speaking as an individual based on experience in Europe as Chief of the Displaced Persons Section for part of the Seventh Army, and as Chief of the Displaced Section for the Land Baden, which takes in some 3,000 miles. In that capacity I had the privilege of taking General Eisenhower, Bedell Smith, and one of your own members, Earl Harrison, on tours of DP camps. I had the privilege of shipping back to their countries some 350,000 people on a repatriation project that the Army did, and that no social agency could ever have done. My statement in brief is just this: That there is no difference between a Pole, a Czech, a Greek, a Frenchman, and an Englishman. They are all human beings. Our Immigration Act, the McCarran bill, and other immigration acts since 1920, are discriminatory against eastern and southern Europeans.

I would like to tell you something on which I base this statement: We have taken 100 families from all nations into San Diego in the last 4 or 5 years. Very few of these immigrants who have come to San Diego are dependent in any way. Three out of the 100 families are now totally dependent in San Diego. And 336 persons, non-immigrants, out of every 10,000 are receiving some form of public assistance, so there isn't very much difference between our citizens and native-born and those who are immigrants. At least 10 of our newly arrived immigrants now own their own homes, which homes have become typical American homes containing all of the household appliances purchased on credit for which American homes are noted. We have found in San Diego that in the vast majority there has been a rapid adjustment both economically and socially, and the place of birth of the immigrant has had no effect on that adjustment—well, it didn't make much difference what country that immigrant came from. New Americans in San Diego brought may needed skills. Three of the families have become farmers and own their own ranches in the San Diego area. Five young men and women have graduated from high school and three of them are attending colleges to become engineers; one to become a doctor. Two girls who have come to San Diego have married American citizens, have received their citizenship, and are raising American families. Several of the new Americans are in their own business. We list among the vocations in San Diego such skills as plumbers, cabinetmakers, tailors, furniture makers, concert pianists, a real estate operator, dungaree manufacturer, bakers, electricians, accountants, truck driver, commercial photographer, a Diesel engineer, an osteopath, and a doctor of medicine. We find, in following up with their employers, that they make darn good and satis-

factory employees. Their children are attending schools with native-born children, and you can't distinguish between the native-born and these immigrant kids. In discussing this with their teachers, which I did before we came here, we find no problem has arisen in the schools because the children come from immigrant families. Fathers and mothers attend citizenship classes, learn to speak in English, and file for their citizenship. And I am very happy to say that in November, come our day for granting citizenship, some 10 of these immigrants who came almost 5 years ago to the day, will become citizens of this country. They value their citizenship sometimes much higher than we value our own.

Now, Mr. Chairman, it is not only because I have seen concentration camps; I have seen slave-labor camps; I have broken into concentration camps. I have watched them break out of concentration camps—that I feel as intensely as I do about this problem.

Now, you have asked for some suggestions, and in the few minutes more that you have allotted to me I have these suggestions to make: If Congress insists on a quota number of 154,000 a year, which we have not filled for many years, let's pool those quota numbers and give them to people from other countries whose quotas are filled. That's the No. 1 suggestion. If we can ever convince Congress that all people ought to come to the United States who meet our requirements on morality, on literacy, and the other requirements that are necessary, then let them all enter the country depending on our act to receive them, and our ability to adjust them in this country.

I would suggest that one of the things that this Commission might consider is perpetuating itself in office by becoming a commission to study and evaluate the immigration policies each year. Have a commission for a scientific study, trying to make a scientific study of the absorption of immigrants into this country, and how fast we can absorb them.

I saw the other day where the former Immigration Commissioner said we could take 2 million today without having any ill effects on our economy, and that the Commission should be guided by the value of the immigrant coming to this country, and what he can do for this country as well as what this country can do for him, and by the proportionate speed of adjustment that an immigrant makes.

I hope that this Commission will recommend that we keep the humane traditions that we have carried on for many, many years. Thank you.

I would like to submit a prepared statement for the rceord.

The CHAIRMAN. Thank you. It will be inserted in the record.

(The prepared statement submitted by Mr. Albert A. Hutler is as follows:)

Since 1938, when I first became aware of the problem of immigration to the United States through working with newly arrived refugees from Hitler's totalitarian nation, I have been concerned with the problems of men and women trying to enter the United States to begin a new life.

The full impact of the problem came to me when I served with the United States Army American military government, both in France as a refugee specialist, and in Germany as Chief of the Displaced Persons Section for the military government of the Land Baden. In France and Germany in 1944 and 1945, I first came into contact with people from all over Europe who had been displaced

by the war and who for one reason or another could not and would not return to the countries of their birth. A great many of these people had spent several years of their lives in concentration camps and managed to survive. Others had been brought into Germany as slave labor for the German war machine and they, too, had managed to survive.

Most had one thing in common—a longing to migrate to the United States which they felt was the one country in which they could find the freedom for which they would have been willing to die. These are people who really understand what democracy means to human dignity, and people who value freedom as their most prized possession.

One who has had this experience is left with an urge to try to be of assistance to these people, by making every effort to gain admission for those who are able to meet the requirements for entrance—requirements based on health, literacy, and morality.

In the past 6 years, it has been my privilege as the director of the San Diego Federation of Jewish Agencies, and as the chairman of the San Diego Coordinating Committee for Displaced Persons, to help to bring to our community over 100 families of all nationalities and creeds, and to watch their adjustment and integration into the communal life of San Diego.

Very few of the immigrants who have come to San Diego either through individual or organizational affidavits have remained dependent. In San Diego we know of only three families who are completely dependent on either individuals or organizations and none who have in any way become public charges. In San Diego County 366 persons (nonimmigrants) of every 10,000 are receiving some form of public assistance. Our records indicate that in the immigrant group who have arrived in the last 5 years only 3 families out of some 80 we have been able to survey are receiving total assistance.

At least 10 of our newly arrived immigrants now own their own homes, which homes have become typical American homes containing all of the household appliances purchased on credit for which American homes are noted.

We have found in the vast majority that there has been a very rapid adjustment both economically and socially. The place of birth of the immigrant has had no effect on this adjustment; whether the individual comes from Eastern, Southern, Western, or Northern Europe is not at all important in the rapidity of his adjustment to the American scene.

New Americans have brought to San Diego many needed skills. Three of our families have already found themselves in a position through saving and hard work to become the proud possessors of their own farms and chicken ranches. Five young men and women who have come to our community within the past 5 years have graduated from high school, and three are exceptionally good students in college. Two girls have married American citizens in the past few years.

Several of our new Americans are now the owners of their own businesses providing employment for other Americans. We list among their vocations all types of jobs: Plumbers, cabinetmakers, tailors, furniture makers, concert pianist, real-estate operator, caterer, dungaree manufacturer, bakers, janitors, electrician, accountant, X-ray technician, truck driver, commercial photographer, Diesel engineer, osteopath, and doctor.

In following up with their employers we have found that most new Americans have filled their responsibilities in their work in more than a satisfactory fashion.

Their children are attending schools with native-born children. You cannot distinguish between them. In discussing this with their teachers, we find that no problems have arisen in the schools because the children come from immigrant families.

Fathers and mothers attend citizenship, Americanization, and English classes being given by the San Diego school system at night. They have the same social and recreational outlets as any of our citizens. The vast majority attend their churches and synagogues as regularly as their neighbors.

Over a dozen young men are or have been drafted or have enlisted in the armed services; others are enlisting or entering as they are called. Several have served in Korea and in the European theater. The attitude of those entering the service shows a sincere willingness to serve the country of their adoption because of their feeling of indebtedness and their desire to try to repay this country. Their philosophy is:

"Though we have suffered very much in Europe and we regret that we must leave our homes and friends just when we are about to get started in our new life, we know that every young American must do the same. This is our country also."

At this moment in San Diego there are at least a dozen immigrants who arrived 5 years ago and are now elated and excited because they know they will become citizens in November of this year. This has been their greatest hope. To them it is the end of a bad dream and the beginning of a new life. These immigrants think so much of American citizenship that many of them apply the first day they are eligible and look forward with anticipation to the final ceremony.

It is only because I have seen under the worst conditions—concentration camps, slave-labor camps, and DP camps—the people of Eastern and Western Europe who wish to enter the United States, and know how much this country can do for them and they in turn can do for it that I have the temerity to come before this Commission to join with those who have asked and worked for the liberalization and broadening of our immigration laws. I cannot forget the promise that I made to thousands of displaced persons in Europe that America would not forget them.

These prospective immigrants, on whose behalf I take the liberty of speaking, are no different than those who helped to make this Nation the finest place in this world. We have grown great as a Nation of immigrants because of the open-door immigration policy prior to 1920, which as much as any other single factor helped to bring about the development of the United States as a leader among the free nations of the world. Cherishing the ideals of American freedom and opportunity a steady stream of new Americans coming from conditions of economic hardship, political repression, and religious persecution have given our Nation unstintingly of their strength and talent.

They have suffered in their native land and when they have come to the United States they have demonstrated their loyalty to American concepts of democracy. For these reasons as well as for reasons of justice and humanity, the traditions of America as a haven of new opportunity should and must be maintained.

It would only be in keeping with our humane conditions to liberalize and broaden our immigration laws. These laws should—

(1) Establish a flexible quota limitation based on an annual numerical total, to be figured on the needs of the country and the ability of the prospective immigrant to contribute to America's welfare and development, rather than on the place of his national origin; or if we must have our present quota system, we should provide for the filling of unused quotas so that such quotas would be pooled and given to persons without regard to quota area. Our present law continues the tragic waste of at least one-half of our allowable quota numbers by refusing to revise our quota system. Some countries have large annual quotas which are never fully utilized. As a result over the years, only about one-half of the total annual quota of 154,000 visas have ever been used.

(2) Eliminate the existing vestiges of racial discrimination so that equal opportunities would be afforded all races and nationalities for entrance into the United States.

(3) Make possible the admission of immigrants whose skills and talents can be fully utilized in the United States by expanding nonquota groups.

(4) Eliminate mortgages or present quotas imposed by the Displaced Persons Act.

(5) Substitute the year 1950 for 1920 as the base for quota computation. By perpetuating 1920 as the base year, we ignore the present computation of our population and thus do not achieve the quotas of many nationality groups, especially those from Southern and Eastern Europe whose proportions contribute to the United States population and have increased during the last 30 years. We are continuing our discrimination against Eastern and Southern Europeans for no good or logical reason.

A liberalized and broadened immigration law will demonstrate our eagerness throughout the world to assist victims of religious and political persecution. It would give heart to thousands of persons behind iron-curtain countries and to people everywhere to whom the United States is still the symbol of freedom and humanity.

The CHAIRMAN. Is Miss Marguerite Weiss here?

STATEMENT OF MARGUERITE WEISS, REPRESENTING THE SOUTHERN CALIFORNIA DIVISION OF THE AMERICAN JEWISH CONGRESS

Miss WEISS. I am Marguerite Weiss, representing the Southern California Division of American Jewish Congress, 5164 San Vincente Boulevard, Los Angeles.

I don't have any prepared statement to give you. Gentlemen of this Commission, I will just speak rather briefly and rather try to emphasize some of the things that have ben said here this afternoon, rather than repeat many of the things which I might have said. With respect to an alternative for the McCarran Act, I think you gentlemen will agree and are aware of the fact that there was a very excellent alternative to the McCarran-Walter immigration bill; namely, the Humphrey-Lehman bill in the House, known as the Roosevelt bill, which offered many excellent provisions as contrasted to some of the very spurious provisions that we have seen outlined in the present bill. And to repeat from this last gentleman that preceded me: One of the things that can be done and should be done is the pooling of the unused quotas. Some of the other defects of the present law as it stands provide unlimited power in the hands of our consulate representatives overseas. There is at present no provision for review of consular decisions. Again, new grounds for deportation are incorporated in this act making these grounds retroactive to cover all immigrants already admitted to the United States. I think that our Congressmen before they passed on the act should have taken the time, although it was a 300-page document, to analyze, to understand, and to try to interpret this thing in the broadest and best interests of the people that they represent. In addition to that, we are the focus, we are the epitome, if you please, of liberal policy throughout the world, and if we are going to be burdened with this type of immigration legislation, how can these people overseas in countries looking to us desperately for new avenues and new ways of immigration—how can they feel any hope under the present McCarran Act?

I would merely say to you, gentlemen, members of the President's Commission on Immigration and Naturalization, that you recommend to our great President Truman, and to the Congress of the United States, the immediate repeal of the McCarran-Walter Immigration Act. We note that while the President's Commission on Civil Rights did a magnificent job in 1948 in bringing civil-rights issues to the attention of the people and to the Congress, no effective legislation regarding these issues was ever passed. Therefore, we are doubly concerned lest history repeat itself, and we urge that every democratic measure be used to bring about the immediate repeal of this discriminatory immigration law by Members of the Congress of the United States, in order that it might be replaced by human, intelligent, and beneficial immigration legislation. Thank you.

The CHAIRMAN. Thank you.

Is Nicholas Jory here?

STATEMENT SUBMITTED BY NICHOLAS JORY IN BEHALF OF THE AMERICAN-HUNGARIAN FEDERATION

Mr. ROSENFIELD. Mr. Chairman, earlier in the day Mr. Nicholas Jory, who represents the American-Hungarian Federation asked that when his name is called I submit in his behalf this document which he left with me. With your permission, I will give it to the reporter for insertion in the record.

The CHAIRMAN. That may be admitted.

(There follows the statement submitted by Mr. Nicholas Jory in behalf of the American-Hungarian Federation:)

AMERICAN-HUNGARIAN FEDERATION,
1624 I Street NW., Washington 6, D. C., October 14, 1952.

PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
1740 G Street NW., Washington, D. C.

GENTLEMEN: I represent the American-Hungarian Federation with headquarters in Washington, D. C. I thank you for this opportunity to present suggestions for desirable changes in the Immigration and Nationality Act of 1952. The changes I urge have been discussed at great length with several national organizations other than my own, also a large number of individuals deeply interested in immigration and naturalization.

My first suggestion is based upon a solemn conviction that in an effort to achieve the ideal of selective immigration the writers of the act through section 203 (a) (1) have created an iron curtain. The iron curtain of the U. S. S. R. does more harm to that nation than to those who would enter. The iron curtain of the United States that will descend on December 24, 1952—barring all but a special class—the class of "high education, technical training, specialized experience, or exceptional ability," will most assuredly do more harm to us than to those wishing to enter.

This Nation was not built or maintained by a special class such as will be created by the application of section 203 (a) (1). It is not such a special class that thrust our railroads through wilderness and desert but the brawn of Italian and Chinese laborers; it is not such a special class that builds our cities but the back-breaking work of Irish hod carriers and bricklayers; it is not such a special class that brings coal and iron out of the depths of the earth but dangerous, lung-destroying labor of Hungarian, Slovak, and Polish common men; it is not such a special class that grows the wheat and foodstuff needed in our great land but men working with their hands, from Sweden, Norway, and France; it is not such a special class that provides the mechanics, carpenters, tanners, and other artisans so vital to the economic and military might of the United States but manual workers from Germany, Czechoslovakia, Austria, and many other nations. I doubt whether any of these stalwarts could qualify under section 203 (a) (1). Not 1 percent are college graduates; probably not 10 percent had grade schooling; only a handful can boast specialized experience or exceptional ability. They are run-of-the-mill, decent men and women. They do however have what this country needed and needs—love of liberty, high manual skill and a desire for a better life for themselves and their children. Yet it is now proposed to relegate the reservoir from whence these people came to a fourth classification with an insignificant chance for attaining entry. May I respectfully call the committee's attention to the fact that Abraham Lincoln would have been barred under section 203 (a) (1) since at the age of 21 he was splitting rails for a living, likewise Thomas Edison, for of him his biographer says "his education was limited to 3 months in the public school of Port Huron, Mich." Also Henry Ford of whom his biographers state "Henry Ford went to school until about the age of 15." And I could go on and on with a host of others whose nonadmittance would have been of inestimable loss to our country.

It is also called to the committee's attention that the unwieldly method of seeking admission by petition under section 203 (a) (1) will destroy all chance for entry of the pitifully few who would be admissible under section 203 (a) (4). The admissibility of the applicant by the Attorney General will make a mockery of section 203 (a) (4) and the so-called preferences it professes.

It is my solemn conviction that aside from scrutiny of ideology, health, and reasonable financial well-being, the only yardstick we must use when measuring admissibility to the United States is loyalty, honesty, and willingness to work. Our immigrants must be drawn from the same source as the men and women who came before and made this country so great. I maintain that to do otherwise is to breach the ideals of the men who founded and guided this Nation to world leadership.

Therefore, I respectfully urge that sections 203 (a) (1) and 203 (a) (4) of the Immigration Act of 1952 be deleted by congressional action, in their entirety.

I further respectfully urge that the Congress amend the Immigration Act of 1952 to the end that the first 50 percent of all quotas be made available to applicants of all races, colors and creeds thereunder without the requirement of filing petitions by American institutions, and without discrimination as to education, technical training, exceptional ability, or any other attribute that would set one applicant above another.

My second suggestion involves a moral as well as an immigration issue. I feel that the writers of the act have erred grievously in revisions of the nationality laws whereby they take away certain rights granted those who entered the United States lawfully years ago and with whom this Government made solemn covenant. Also, these revisions unnecessarily curtail the privileges of those who will enter after December 24, 1952.

Under our present nationality laws an alien may (*a*) become a citizen in 2 years if married to an American citizen, and (*b*) 3 years if once so married but divorced, or the spouse has died. The new act eliminates above class (*a*) entirely and complicates class (*b*) by requiring (sec. 319 (a)) said alien be married to the American citizen spouse for 3 years immediately preceding the date of filing his petitions.

I contend and earnestly call the attention of the President's Committee to the fact that the Congress has never before passed a retroactively harmful law. Here we find thousands of men and women eager to become citizens of this country and trusting in a solemn promise given under 8 CFR 326.2, or 8 CFR 326.3, and who now find the Government will not keep its word. What would our Supreme Court say if a leasehold to drill for oil were granted in good faith and then, if oil is found, the grantor would simply refuse to honor the contract. Would the august Court uphold such flagrant violation of covenant? I do not believe so. Yet the United States will on December 24, 1952, do just that—violate a covenant made with many thousands of men and women who would become eligible for citizenship under 8 CFR 326.2 and 8 CFR 326.3.

Is it not a fact that our immigrants should be urged to become citizens—not have difficulties put in their way? Is there a finer spirit than that which prompts men and women to become citizens of their new homeland at the earliest possible moment? And the new act rewards this spirit with senseless obstacles while leaving unchanged CFR 326.4, whereby it is possible for a favored few aliens after indifferent investigation to acquire citizenship without any prior residence in the United States.

It is also to be noted that the Immigration and Naturalization Service is justifiably proud that humane consideration has always entered into its decisions. The reunion of families parted by limitation of quota numbers is surely most desirable. The deprivation of citizenship for extended periods will cause years of separation between thousands of fine, worth-while permanent residents and their parents.

Therefore, anxious that the United States shall never break its given word and because the rights of our citizens and their permanent-resident wives will be violated, I earnestly plead that section 319 (a) of the Immigration Act of 1952 be deleted.

I further urge that the Immigration and Nationality Act of 1952 be amended to include paragraphs as written in 8 CFR 326.2 and 8 CFR 326.3.

My third and final suggestion I deem so important that I earnestly request the President's Commission to give it special consideration. I am certain many others will second this appeal.

The Displaced Persons Act of 1948, as amended, has taken 50 percentum of nearly all quotas; hardest hit are small countries. A statement by the Immigration Service Magazine shows some of the following mortgages of 50 percent:

	Until		*Until*
Bulgaria	1963	Lithuania	2090
China	1964	Poland	2000
Greece	2013	Rumania	2019
Hungary	1989	U. S. S. R.	1980
Latvia	2274	Yugoslavia	2114

The Congress of the United States could do no finer deed than to amend the Immigration and Nationality Act of 1952 to the end that these mortgages be considered paid and all quotas be restored to full numerical strength provided by law, as of December 24, 1952. The large quotas of countries such as Germany and Italy are current or soon will be. It is the small ones that suffer. By satisfying these mortgages China will gain 50 quota numbers each year; Estonia, 58; Greece, 155; Hungary, 432; Latvia, 118, etc.; and the United States would gain a great moral victory. The admission of this comparatively (now quotaless) small number of immigrants can only redound to our benefit at home and abroad. The knowledge that years of waiting may be shortened for some will bring joy to many of our people whose relatives wait outside in despair. And all nations must acknowledge and respect such a broad and humane view of the world's immigration problem.

Therefore, I earnestly plead that the President's Commission make recommendation that legislation be brought immediately for enactment of an amendment to the Immigration and Nationality Act of 1952, whereby all mortgages imposed upon quotas by the Displaced Persons Act of 1948, as amended, be considered as paid in full and that quota numbers shall inure to all countries as provided in section 201 (a) and following, of the Immigration Act of 1952.

I again thank the President's Commission for myself, the American-Hungarian Federation, and all others I represent, for the opportunity to present my views to them.

Faithfully yours,

(Signed) NICHOLAS JORY.

The CHAIRMAN. Is Mr. Harry F. Kane here?

STATEMENT OF HARRY F. KANE, REPRESENTING THE RIVERSIDE COUNTY COUNCIL INDEPENDENT PROGRESSIVE PARTY

Mr. KANE. I am Harry F. Kane, representing Riverside County Council Independent Progressive Party, 4060 Almond Street, Riverside, Los Angeles.

I am appearing here on behalf of the Riverside County Council Independent Progressive Party. I congratulate this Commission in its efforts to obtain some sense of direction from the American people, but I regret that it is not sufficiently broad in the sense that 1 day's hearing does not give the people of a city like Los Angeles the opportunity to be heard. I am not going to present to you any long-winded affair. I wish simply to dwell upon the deportation matters connected with those who are of foreign birth. I wish to resent the provisions of the McCarran law which deal with the arrest and grilling of aliens without granting sufficient bail, or without granting even any bail. I resent the exclusion by the Attorney General of foreigners who might be dangerous. And I resent the application of the principle of preventive arrest of those who might be dangerous and, therefore, must be rounded up.

I have heard very much today of the matter of patriotism, and comparisons are odious, but I wish to say that my father came to this country an alien from Scotland, a man who was not well educated; but, God, how he could quote Burns the poet. Now, he volunteered his life in the interests of this country to put down traitorous disunion and to stand for the freedom of chattel slaves. I question the attitude or the patriotism of no man, or no American, but I wish to say for the foreign-born that the man who is a noncitizen if he conducts himself like a man, especially if he is married, and his wife has brought children into the world, if he has given of his work to create the wealth of the Nation, or to help create that wealth, I say he is worthy of anything that I, as a citizen have, or anything that I want. A man must strike against oppressive conditions, the right to organize in a union of his own choice; the right to criticize public officials and the damnable officials who are crooked today. He has the right to say, "We shall wipe out filth of corruption." He has the right to criticize and the right to conduct himself like a man so long as he violates no laws. Therefore, I wish to say our party stands for the rights of the foregin-born so long as they conduct themselves like men and like American citizens. I have very little more to say except that we resent these restrictive laws which convict people before they have been heard or proven guilty, and my recommendation—and my organization's—about the McCarran law is: Wipe the thing off the statute books. Thank you.

The CHAIRMAN. Is Roscoe L. Warren here?

STATEMENT OF ROSCOE L. WARREN, WHITTIER, CALIF.

Mr. WARREN. I am Roscoe L. Warren, of Whittier, Calif. I am speaking only for myself today, but I am a member of the American Friends Service Committee and the Friends Committee on National Legislation.

The CHAIRMAN. We will be pleased to hear from you.

Mr. WARREN. I have a brief statement today to make that is in opposition to the present McCarran bill, and I am only presenting it briefly in that it indicates my opinion as to the objectionable features of the law as it now stands on the books. It appears to be designed to exclude immigrants rather than to admit them.

It poses a danger to our ideals of justice and equity.

The law has within its provision a strong suspicion and prejudice of foreigners based on the discredited theory of racial origin. It reflects basic discrimination against people from eastern and southern Europe, as well as against Negroes.

It facilitates deportation of thousands now residing in the United States.

It makes denaturalization an easy possibility of naturalized citizens.

The law gives virtually unlimited power to our oversea consuls in the refusal of visas without provision for review of the consular decision.

It has retroactive provisions for deportation of all immigrants who have been hitherto admitted to the United States.

Too much final authority is given to individuals rather than to boards of review.

I will be glad to leave this statement with you if you care to have it.

The CHAIRMAN. Thank you very much.

Is Mrs. Arthur L. Shellhorn here?

STATEMENT OF MRS. ARTHUR L. SHELLHORN, REPRESENTING NATIONAL DEFENSE, CALIFORNIA SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

Mrs. SHELLHORN. I am Mrs. Arthur L. Shellhorn, representing National Defense, California Society of the Daughters of the American Revolution, of which I am vice chairman, 444 North Daroca Avenue, San Gabriel, Calif.

I thought that the State regent was to be here until last night, and I am representing her on this. So, I have no prepared statement except to pass over the resolutions passed on this matter which will give the stand of the national society. I want to state before I get into our stand as a national society that the National Society of the Daughters of the American Revolution have between 200,000 and 300,000 members in the United States—approximately 6,000 chapters—and in California alone we have 121 chapters, 6,650 members.

I think those of you who know anything about the Society of the Daughters of the American Revolution all know we are rather blackened many times and called ancestor worshipers and a few more things of that kind. Those of you who know anything of the workings know that there is no organization in the United States which stands more firmly for our American way of life and against communism than the National Society of the Daughters of the American Revolution. We have fought for many years, long before it was popular even to mention the word, on immigration laws and infiltration into the United States, and have taken some very strong stands on this matter.

There are three resolutions which I am going to present very briefly. I am not going to read the resolutions, but I will give you the gist of them, and the resolutions will be filed. These have come from individual studies in all the chapters, from the chapters to the State society where resolutions along this matter were passed unanimously, and then to the national congress which met in Washington this year, the 1951 congress of the National Daughters; and these three resolutions on immigration were passed unanimously. I will just give you the gist of the resolutions and let them speak for themselves. The first one: The national societies have taken a definite stand and passed a resolution at the last continental congress held in Washington approving the McCarran-Walter bill and approving the principle that no immigration over and above the present quota system be presented in the United States. We feel that since a special subcommittee of the Judiciary has made an exhaustive study over 3 years, and with a study of our present immigration and naturalization, that such an adequate screening of aliens as regards subversive aliens should be included in this bill, this law, together with other protective measures for the preserving of our form of government against subversives. We unanimously approved this measure and passed a resolution unanimously to that effect at the 1951 national congress—this was in May.

We took a definite stand as being opposed to Senate bill 2343, introduced in the closing days of the Eighty-second Congress and sponsored by Senators Lehman, Humphrey, Gillette, Kefauver, and others, which would effect certain basic changes in the present immigration and naturalization laws. We take the stand that the principles of the Lehman-Humphrey bill would, in effect, destroy our national-origin quota system.

Third, we also feel that while citizenship is offered to aliens who meet necessary qualifications of admittance to the United States and registration is required of displaced persons when entering this country, but no further supervision of their movements is required, and aliens remain in this country many years without becoming citizens while enjoying the rights and privileges of American citizens, therefore, we urge that further investigation and study be made toward enacting appropriate legislation that, after a certain period of time, all aliens permanently residents of the United States make application for naturalization papers, and, if application is not pending, said aliens would be obliged to show cause why they should be permitted to stay in the United States.

If I may, I will submit these resolutions for the record.

The CHAIRMAN. Thank you. They will be inserted in the record.

(The resolutions are as follow:)

RESOLUTIONS ADOPTED BY THE SIXTY-FIRST CONTINENTAL CONGRESS, NATIONAL SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION, APRIL 14–18, 1952

IMMIGRATION

Whereas a special subcommittee of the Senate Committee on the Judiciary, over the course of approximately 3 years, has conducted an exhaustive investigation and study of our present immigration and naturalization system; and

Whereas, as a result of such investigation and study, Senator Pat McCarran, chairman of this subcommittee, introduced Senate bill 2550, which merges, revises, and codifies all of the immigration and naturalization laws, and a companion bill (H. R. 5678) was introduced by Representative Francis E. Walter in the House of Representatives; and

Whereas these bills provide for screening aliens more carefully as regards potential subversives: Therefore be it

Resolved, That the National Society, Daughters of the American Revolution, reassert its principle that no immigration over and above that provided under the present quota system shall be permitted into the United States.

Resolved, That the National Society, Daughters of the American Revolution, go on record as congratulating the Senate and House Committees on the Judiciary in reporting to their respective bodies the McCarran-Walter bill and urging Congress to enact said bill into law.

IMMIGRATION QUOTAS

Whereas in the closing days of the first session of the Eighty-second Congress there was introduced in the Senate S. 2343, sponsored by Senators Lehman, Humphrey, Gillette, Ives, Kefauver, and others, to effect certain basic changes in the present immigration and naturalization laws; and

Whereas a comparative analysis of the McCarran-Walter bill with the Lehman-Humphrey bill shows that the Lehman-Humphrey bill would, in effect, destroy our national-origin quota system: Therefore be it

Resolved, That the National Society, Daughters of the American Reovlution, support and urge the Congress to enact, at the earliest possible moment, the McCarran-Walter omnibus immigration and naturalization bill now pending in the Senate and House of Representatives, and that Congress reject the Lehman-Humphrey immigration bill.

LIMITING ALIEN RESIDENCE

Whereas citizenship is offered to aliens who meet necessary qualifications of admittance to the United States, and registration is required of displaced persons when entering this country, but no further supervision of their movements is required, and aliens remain in this country many years without becoming citizens while enjoying the rights and privileges of American citizens: Therefore be it

Resolved, That the Sixty-first Continental Congress, National Society, Daughters of the American Revolution petition Congress that further investigation and study be made to enact appropriate legislation that after a certain period of time all aliens permanently resident in the United States make application for naturalization and if said application is not pending said aliens would show cause why they should be permitted to remain in the United States.

The CHAIRMAN. Is Mrs. Schultz here?

STATEMENT OF MRS. GRACE SCHULTZ

Mrs. SCHULTZ. I am Mrs. Grace Schultz, 4343½ Griffin Street, Los Angeles, Calif.

I can't count very well, but I think I am an eighth generation immigrant. My little grandmother was one of the three Real Daughters of the American Revolution, buried in California.

I represent my own self only.

I am a member of the American Defense League and the California Republican Women, and the Freedom Club of the First Congregational Church.

I am a gentile, and I seem to be in the minority.

One of the most important businesses of government is making citizens, and out of pretty raw material, both native and foreign, both of which have become stupid subversive stooges. Some people make better citizens than others; in spite of carefully planned quotas, we have human blocks of indigestible subversives, and it is time we began to shop around for our citizens.

The founders of America invented democracy for a modern world, but it took 50 years to develop democracy here in America. Mrs. Katherine Carr, our teacher at Los Angeles High School 50 years ago has just been on a flight around the world with 16 lady lawyers, including Judge Florence Allen, who, as you gentlemen know, is judge of the Circuit Court of Appeals for the Sixth Circuit.

Statistics are difficult for me. She has had numerous conferences with inside authorities, and she reports that democracy is a mystery all over the world. We found that out here with our orientals whom we welcomed to a heaven of soil and profit. All we asked was one generation for the impact of democracy, and that restriction had loopholes in it, and some of them—not all—but some of them betrayed us. They were moved to a camp in comfort and security for the first time in history, and for 7 years we have been trying our very best to teach democracy. We have sent a perfect deluge of teachers to Japan, and in 7 years we have made very little progress in teaching democracy there.

My son has a Dutch boy friend, a DP, who has been processed and sponsored, and all of that, and he is an expert radio-radar and movie projectionist man. Here he is, he can't get a job, he can't get a job because of the union laws. He can't join the union. So, there are lots of problems.

The mill race of propagation goes on here and over the world, and that is going to give us headache enough. I have not read the McCarran bill, I never will, nor any other bill—I have seen them. But I do know that Senator McCarran and his committee have made an exhaustive study of the tangle of immigration laws, and have come up with wise pronouncements without emotion. The quota system is a valuable safeguard, and gives us all the people that we can possibly absorb well. The west European quotas had better stay unused than to be abused by bringing in nationalities of which we already have a saturate solution. We need land immigrants, not city herders, such as Jew York. Many immigrants who wail about their unpopularity have made themselves unpopular.

My little granddaughter has just entered kindergarten. I called her up on noon of the first day and I said: "Are you a school girl?" And she said: "Yes, I have been." And she has rules and a vassal. Everyone has to have rules, and they have always worked hardships to some, and we must respect the working vassals. Jesus Christ gave two basic political pronouncements; that is, "Do unto others as you would have them do unto you," and the fruit, the results, which means that we are to study a problem, and then use horse sense about it. We are diluting democratic peoples to a dangerous degree, it is time to call a halt. For with the vassal of the McCarran Act it lets our light be lost. There are grand citizens who have come from other countries. I have been a teacher: I have taught the Mexicans, I have taught Armenians, and I know that they are better citizens than our own people. I have had Armenians weep and tell me what it meant to them to see the Statue of Liberty, but if we took in a million people a day, or an hour, people are wanting to come here from Timbuktu, and all over the world—no matter how many we took in there would be just as many more who would feel that we were unjust.

I want to thank this committee for the work they have done in trying to safeguard our principles before they are gone.

The CHAIRMAN. Is Rod Flewelling here?

STATEMENT OF ROD FLEWELLING

Mr. FLEWELLING. I am Rod Flewelling, 2230 Del Mar Road, Montrose, Calif.

I was excused from school today to come down here as an individual. I speak for no one, but I think I speak for most everyone. I attend Del Mar Jefferson High School in Burbank, it is a co-ed parochial school.

The CHAIRMAN. What year?

Mr. FLEWELLING. I am a senior. I am a member of the Young Democratic Club of Glendale, and Burbank. I know all those people are against the McCarran bill—I am not speaking for them, I am speaking as a youth of America, who is interested in the problems. I think too many people have gotten away in this deal on both sides—I don't think we should ever accept Communists or Fascists in anything we do. We have people who testified today who belong to the IPP. I do not believe the IPP is doing right because they are Communist-controlled. Neither do I believe the people on the other side who employ Fascists in their beliefs should do that. The Independent Progressive Party is the one that Henry A. Wallace broke away from

when he found out they were the Red Party. We should employ the principles of Christianity, and the McCarran bill violates the principles for which Jesus Christ died on the cross 2,000 years ago. It took us 2,000 years to apply the principle he did with this terrible immigration bill.

First and foremost, it is morally wrong to discriminate against the Greeks and the Italians. I recommend to the Commission that they remedy this situation, and that the national quotas be put up to the present date as Senators Humphrey, Lehman, and the great late Senator Brien McMahon wanted. I hope they will remedy this situation so we will have a fine bill. True, there are a lot of complexities in an immigration law, but I am sure this Commission can figure out something that will be great, and bring justice to the people of the world. And also the people that holler "communism" all the time, like the little Senator from Wisconsin, and the little Senator who is seeking Vice Presidency in this State—these people have voted for the McCarran immigration law. They have helped to abet Communists because the Communists are using that as their policy. They don't care about immigration laws, they are only interested in it because they want their aliens to come into this country. I agree with that point of the McCarran bill: That aliens who are Communists or sympathetic, or Fascists or Red Fascists, as I would rather call the Communists, should not be admitted into the country. But the good people should be admitted, and I am sure there are a lot of good ones and most of them are good, and I appreciate this opportunity to speak before you, and thanks a lot, and I hope the McCarran bill is repealed, and lots of thanks to Truman.

The CHAIRMAN. Thank you. Mrs. Rosalind G. Bates, you are next.

STATEMENT OF MRS. ROSALIND G. BATES, CHAIRMAN, SOUTHERN CALIFORNIA WOMEN LAWYERS

Mrs. BATES. I am Mrs. Rosalind G. Bates, representing Southern California Women Lawyers, of which I am chairman. My address is 354 South Spring Street, Los Angeles 13, Calif.

I wish to submit a letter for the record in behalf of my organization and then make a few remarks.

The CHAIRMAN. You may do so.

(The letter submitted by Mrs. Rosalind G. Bates, chairman, Southern California Women Lawyers is as follows:)

SOUTHERN CALIFORNIA WOMEN LAWYERS,
Los Angeles 14, Calif., October 15, 1952.

Re GI Babies

Mr. HARRY BRADENBURG,
United States Post Office, Courthouse,
Los Angeles 12, Calif.

DEAR MR. BRADENBURG: Since the letter of Dr. Stewart G. Cole, educational director of the National Conference of Christians and Jews, Inc., on October 9, asking that Mrs. Rosalind G. Bates be allowed to appear on behalf of Japanese-American war orphans, apparently arrived too late to give us a place on the agenda, we would like to state that the present situation respecting GI babies not only in Germany, Japan and the Philippines and now in Korea, is the urgent responsibility of the American people and the American Government. We wish to go on record with your committee as follows:

In order to solve the problems of new minorities being created in various countries, whose fathers are Americans, we believe that after a careful check of the

facts in each case and a medical clearance, our immigration laws should be amended to allow the adopting parents to give their nationality to the adoptee.

All of the usual safeguards to protect the adopted child, as well as the adopting parents, can be given consideration.

Our organization is on record in favor of giving to the adoptee the nationality of the adopting parent, regardless of whether or not the baby is a war orphan.

Yours very truly,

SOUTHERN CALIFORNIA WOMEN LAWYERS,
(Signed) ROSALIND G. BATES, *Chairman*,
(Signed) PATRICIA J. HOFSTETTER,
(Signed) DELLA G. MARGAINE,
Committee.

Mrs. BATES. Ours is one of the various organizations which met in an ad hoc committee concerned with the welfare of Japanese-American babies, under the auspices of the National Conference of Christians and Jews. The group present, and on the memorandum of which I am speaking, was Father Evatt F. Briggs; Mrs. Lilly Kahn, International Women's Club; Dr. G. Stewart Cole, of the organization just mentioned; Mrs. Suzy Ihara, International Institute; Rev. Clinton Naiman, chaplain, USN; Mrs. Elizabeth Sands, AAUN; Mr. Edward Sanders, American Friends Service Committee—AAUN means American Association of University Women—Mrs. Frederic Schrader, president, YWCA; Mrs. Sumner Spaulding, Los Angeles Welfare Council. Then, there were various members of the same committee who were unable to be present. And, as a result of their deliberations they arrived at a request to have me appear before you in their behalf stating the following conclusion: "That a method of American adoption, of an increasing number of these children, referring to the GI war babies"—and, gentlemen, I think you know the press has said there are 250,000 in Japan alone, but our committee does not believe that. After a careful check we think the number would be closer to 20,000 or 30,000. If so, the immigration laws in this country should have to be revised or a new statute introduced to cover this situation. And I might add that after careful checking of the various institutions in Japan we found there were prospective parents for most of the children could the adoption laws be changed to permit the entry of those children into the United States.

I thank you.

Commissioner O'GRADY. Doesn't this involve more than the adoption laws, and especially the question of obtaining visas for these children?

Mrs. BATES. The immigration laws, that's the whole thing, that's why we are here.

Commissioner O'GRADY. Besides the question of visas, you also have the question of finding sponsors, homes, studies, and so on.

Mrs. BATES. I think you will find that all of that has been done. The studies are being made by the various church groups as well and the homes have been found for many of them, but the immigration law does not permit them to come across to the United States, not only a GI baby, but the Italian baby or any other kind of baby who is adopted, he is not given the nationality of the adopted parent, which would be the American nationality. If you could adopt a Japanese baby with an American father, whether GI or an Italian one, and make him an American by adopting him, there would be no necessity of a quota or visa.

Mr. ROSENFIELD. Mrs. Bates, I am not quite sure that I understand your proposal. Are you proposing to the Commission that these children be allowed in nonquota, or merely that the immigration law be amended to allow the adoptive parent to give, to confer his or her nationality on the child? Which is it that you are proposing?

Mrs. BATES. The last. We think that does everything, because if you can give American citizenship to that child you have solved all the problems and if he is to come to this country he must be an American citizen. If he is to remain in Japan, he must be thoroughly Japanized for his own protection because these children are the children of the conquerors foisted on an unwilling country, and an entirely different type of child.

Commissioner O'GRADY. Then you would make them citizens before you bring them here?

Mrs. BATES. That's right, exactly. What England has done. We will send you a copy of the English law. We think it is very fine and it covers the proposition entirely.

Commissioner O'GRADY. How would the adoption be handled, and what safeguards would there be for the child?

Mrs. BATES. You will notice part of our letter covered that; that all of the usual safeguards that are used in the adoption processes would be used in this process as well. There would be the same safeguards thrown around them as are thrown in the State of California about the adoption of children here, or in any other State where we feel the adoption process is a careful one.

Commissioner O'GRADY. I see. You would have to study the parents, and study the children, in accordance with the usual provision of American law?

Mrs. BATES. That's correct.

We will be very happy to submit complete data. In fact, I even suggested the women lawyers give you the exact amendments the way we suggested them—we probably will in time, if you desire.

The CHAIRMAN. We will be very glad to have any information that you will submit to us. Thank you very much, indeed, for your courtesy.

The CHAIRMAN. Is Miss Eaton here?

Mrs. CARMIN. May I speak a word for Miss Eaton in her place?

The CHAIRMAN. All right.

STATEMENT OF MRS. PEARSON CARMIN, REPRESENTING MISS EATON

Mrs. CARMIN. I am Mrs. Pearson Carmin, representing Miss Eaton, 4220 Victor Avenue, Los Angeles.

This is all new to me. I didn't read about it until Monday in the paper and I came down today, and I have been listening to these people speak, and I am amazed that I find, for the most part, that they are listed in these House Un-American Activities in California reports,[1] and I would like to submit these to you to check with these and put them in the record.

The CHAIRMAN. Everybody that spoke?

Mrs. CARMIN. No, not everybody. I haven't had time to check them all.

[1] Un-American Activities in California, published by the Senate of the State of California.

The CHAIRMAN. How many?

Mrs. CARMIN. Well, I would like to have time to go through the books.

The CHAIRMAN. You said people are listed. How many of them?

Mrs. CARMIN. I haven't had time to check them. I would like to check them and submit them to you. I just went down to the State office and got the books, and have had them only about 5 minutes, but I would like to check through here and submit them to the Commission.

The CHAIRMAN. Do you know whether any of them are in there?

Mrs. CARMIN. I have had time to go through the books just in the last few minutes.

The CHAIRMAN. You have?

Mrs. CARMIN. Yes, I have.

The CHAIRMAN. And how many did you find?

Mrs. CARMIN. Oh, maybe four or five, or six.

The CHAIRMAN. Exactly how many?

Mrs. CARMIN. Well, say six, but there will be a great deal more if I have time to check through, but I really haven't had time.

Commissioner O'GRADY. You don't mean that these large religious organizations are listed?

Mrs. CARMIN. Reverend Fritchman is in here. This is the Un-American Activities in California report—the California Senate Investigating Committee on Un-American Activities. A great many of them are the Congress of American Women. As I have said, I have had a few moments to go through it, but in going through it I do come across a great number that have been represented here today, and I think for the record, and in view of the fact that I haven't had time to look into this, that it would be no more than fair that I submit these books to you, and let you, as a Commission, check through them. Or I will check for them, if I may.

The CHAIRMAN. You may do it, and let us know.

Mrs. CARMIN. Thank you. May I have the names of the organizations that have spoken today then, so I can check through thoroughly?

The CHAIRMAN. Well, you have been here all day, and they have been speaking and I have asked everyone to give his name and address very loudly and distinctly so that anybody could have it that wanted it.

Mrs. CARMIN. May I write them down, and submit them to you before I leave?

The CHAIRMAN. Yes; you can do so. Is Rev. Sung Tack Whang here?

STATEMENT OF REV. SUNG TACK WHANG, PASTOR, KOREA GOSPEL CHURCH

Reverend WHANG. I am Rev. Sung Tack Whang, pastor of the Korea Gospel Church, 1226 West Fourth Street, Los Angeles.

Ladies and gentlemen, it is a great privilege for me to have this opportunity to speak to you. I have been living in America practically 50 years, but I was unable to become a citizen of the United States, but I am very happy to say that I have that opportunity right today.

The Korean quota is very small, but they are all looking forward to coming to America in future days. I would like to cite just one instance here. When I was over there in Korea during the Com-

munist regime it so happened that they captured me. They questioned me to know if I was a citizen of the United States, and if I had been a citizen of the United States I don't think I would have the privilege of coming here today. But I was fortunate enough that I wasn't a citizen of the United States, so they let me go after a while.

At that time I wasn't very sorry that I wasn't an American citizen. However, that was just that incident. I am quite over 60 years old. I always wanted to be a citizen of the United States and here I got the chance, and I appreciate it very much.

Another thing, we have a problem in the Orient today—and I just came from there—of these so-called GI babies. They are many of them, thousands in Japan and hundreds in Korea, too. They are from colored and Mexican and American breed, you know. Some of those babies we are raising in our orphanages. We have a question: Should Uncle Sam give us a special privilege for putting some of those children into America in future days to care for them or should they become the citizens of that very country where they were born? That is really one of the problems that we are up against over there, and especially in Korea. There we have not only GI babies but Korean babies, and because of this war they are deserted on the street corners and in shelters. There are thousands of these babies who lost their mothers and fathers. They are just innocent victims of this war. Of course, the Korean Government and the society are trying to do all they can, but, as you know, the Korean population is having a hard time to keep up its life itself. So they are looking forward to some sort of arrangement to be made either by the United Nations or the United States so that we could bring some of these little children into the United States just as well as some of those little children were brought from Europe.

These are the problems today in the minds of the Korean people which I represent, and also I imagine some other countries too.

The CHAIRMAN. You say "children that were brought from Europe." I didn't quite understand that.

Reverend WHANG. Well, I was told that some of the European orphans were brought to America by individuals or by societies to be adopted.

The CHAIRMAN. Yes.

Reverend WHANG. But I understand this immigration law prohibits bringing Korean children here from Korea. As a result of my investigation with the American consulate over there, I understand our Korean children cannot be brought to America unless he or she becomes 14 or 15 years of age, you see. It is a kind of problem there. You know the entire population is in a turmoil and they are going through the agony of this war. Really, they are looking forward to America for some sort of help to be extended to them, especially for these little children. Of course, we are taking care of them, but we can't take care of all of them.

This is one of our problems that we have here. Of course, my wife and I were raised in America and we have the privilege to become citizens now. We are happy about it, and some of those Koreans are looking forward to this new immigration bill so that they might come over here, but they don't know how to go about it. So, it is a problem.

I have inquired with some of these immigration officers and the immigration officer here locally says they really don't know themselves what status these people will take to come to America. So, there are the problems. Of course, I won't go into any more detail other than that.

I am hoping that in the future some provisions will be made for those children who lost all their parents and are totally dependent on grown-ups. They are dependent on the United Nations today and hoping that such a time will come when we can all travel freely and without any discrimination.

The CHAIRMAN. Thank you very much.

Reverend WHANG. Thank you for the privilege to be here.

The CHAIRMAN. Is Dr. Donald S. Howard here?

STATEMENT OF DONALD S. HOWARD, DEAN, SCHOOL OF SOCIAL WELFARE, UNIVERSITY OF CALIFORNIA

Dr. HOWARD. I am Dr. Donald S. Howard, dean, School of Social Welfare, University of California, Los Angeles.

I am apearing here in a personal capacity rather than as a representative of any institution. I am here in the capacity of an American citizen, and I think as one of a vast number of American citizens who like to think that humane interests of this country in providing refuge and asylum is an important consideration in this complex question that you are considering.

The one point to which I would like to direct attention is the perpetuation under the new immigration law of a quota system that has grown up over the past years and in response to quite different economic, social, religious, and political pressures which have operated in various parts of the world.

It seems to me that it is not desirable to think that the same pressures which have operated in the past, giving rise to immigration from certain countries because of certain political, social, economic, and religious pressures, are necessarily going to be the same kinds of pressures in the same kinds of places which will be stimulating immigration in the future. The thing that occurred to me was that perhaps consideration might be given to two devices whereby the anomaly that certain quotas from particular countries may be used up where quotas from other countries would not be used up would cease and a dual policy instituted whereby the administration itself could be given the authority to reallocate within the present prescribed quota for the whole country in response to pressures and demands from particular countries as wherever the reasons for discomfiture might arise. Congress in that way could prescribe for the total number of people to be welcomed into the country and yet leaving, apart from broad determination of quotas, possible redetermination in the hands of the administration as needs from particular countries arose.

It seems to me that, in addition to this, consideration might also be given to a further device which Congress might authorize. They could authorize the continuation of this Commission, or the establishment of some similar commission, to act in case of emergency, and Congress might define the nature of these emergencies that might arise. Then, this Commission, or an authorized commission, would have the authority to declare such an emergency, again, within limits that

might be prescribed on a percentage basis, a percentage above the total this authorized body would be empowered to declare that quotas, even total quotas after they have been rescrambled, might be up within certain limits in order to take care of groups which found themselves discomforted in countries of their origins because of religion or economic or political or racial pressures.

It seems to me that some flexibility of this kind is needed if the country is to serve in the future the purpose it has served in the past for providing for people of different countries a place of haven when their position becomes untenable because of these kinds of pressures which I have suggested.

I have one final word. Personally, I am not sure that we know the total number that this country can with advantage take in a given year or a 5-year period. So, it seems to me that consideration might well be given to a definitive study of the absorptive capacity of the country, assuming, of course, certain economic conditions which one would have to assume. But it has occurred to me that the total quota system is somehow plucked out of the air in terms of a grand total that might be admitted without a definitive analysis of the real absorptive capacity of the country under any given set of assumptions, mostly economic I guess, as to what production is, what the levels of employment are.

That, in short, is the word I would like to leave, simply to wonder if there are not ways in which the quota system can be made somewhat more flexible so that admission in the future can better reflect the pressures arising in different countries and not to be so tied to the present distribution under the quota system which reflects these pressures, not as they will be in the future but as they have existed for several generations.

The CHAIRMAN. Under the suggestion you make, I assume that regardless of the pressures, you would not want any action taken that wasn't in the best interests of the United States?

Dr. HOWARD. That is right.

Commissioner O'GRADY. Are you then advocating that our immigration system be a flexible one which would also be an instrument of our foreign policy?

Dr. HOWARD. I definitely would. And it seems to me that within the total numbers that Congress might prescribe this might well be left to an administrative determination, so that the administrative arm would not be raising the quotas, but insofar as certain quotas are unused and quotas from other countries are used up, these reallocations might be made to take care of situations like you describe.

Then, beyond that, it is a common pattern in government that commissions and the President and others be authorized to declare emergencies, and then under these emergency powers certain things could then ensue. I should think that within limits certain percentages, 10 or 15 or some percentage above the total quota limits, such a commission might authorize an increase in immigration within any year and whether it is charged against future quotas, I think, would be a matter of determination.

The CHAIRMAN. Would that be determined by Congress?

Dr. HOWARD. It could be. It could be charged against future quotas. It is a matter of policy. But the apparent closing of doors so that it makes impossible turning to this country as a place of

refuge seems to me something that a lot of Americans with humane sentiments would be opposed to as I am as a person.

I might add, Mr. Chairman, that I do speak with some experience with work in other countries. I worked in two continents in a dozen countries in international relief and welfare work. I have some basis of feeling for the problem to which I speak.

The CHAIRMAN. Thank you, sir.

Is Mr. Thomas here?

STATEMENT OF RICHARD M. THOMAS, REGIONAL CHAIRMAN, WORLD STUDENT SERVICE FUND

Mr. THOMAS. I am Richard M. Thomas, regional chairman, World Student Service Fund, 715 South Hope Street, Los Angeles.

I am here also as an individual and not representing the organization for which I work. I would like to say, however, that it is my clear conviction that more liberalized immigration and naturalization laws should be passed by the Congress of the United States, and roughly for three major reasons.

I have been dealing with an organization that has been trying to do something about the thousands of refugee students who are flooding into the Western European countries, especially West Germany and France. We have found that the consequences of these students, who a few years ago were classified as displaced person students, was to flow into the western areas of Europe and congest in the large cities and former concentration camps which became known as DP camps. These students faced severe hardships and, of course, this organization along with others attempted to do something about it.

In the past 3 years we have brought into this country approximately 800 of these refugee displaced-person students, and these students have been fitted into scholarship opportunities opened up by the American universities. Some of them have come over on what we call work scholarships, but it has been our feeling that many, many more of these refugee students and displaced-person students could have been brought into this country if it had not been for a very severe screening process. Let me explain this. Former Nazis were not allowed to come and any student that had been in a Communist area had to convince a screening board that he in no way was a member of the Communist Party. Also, another third severe screening process was that in terms of health. While this country insisted that students pass these strict health examinations, many of the Scandinavian countries were forced to say, "Well, give us the hard core cases, the students who have TB and other diseases. We will take the left-overs." It is true that we had many more places to be filled for these DP's than we were able to get screened through the process.

My second reason for feeling that there should be a liberalization of the immigration and naturalization laws has to do with the difficulties facing foreign students who are studying in American universities at this time. Due to fluctuations in currency values many of these students are left actually stranded here in the American university community without adequate funds to carry on. And due to the inflexibility of immigration laws they are unable to secure employment except in extra special cases. This has created a severe

problem on the American university campus, which many of you know about already.

A third reason I am so concerned about this is that America has historically been known as a country whose doors have been open to the destitute and oppressed people of many lands. The Statue of Liberty, for example, was erected or given to this country by the French, and I think it stands as a tribute to this Nation in terms of the initial desires of our founding fathers of this Nation. I don't know how many people know the inscription on the Statue of Liberty, but it goes something like this: "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shores; send these the homeless, the tempest-tossed to me. I lift my lamp beside the golden door."

I would say that we must as a Nation, in terms of the tremendous land area that we have in this country and the lack of pressure from population on this land compared to other countries of the world, open our doors to some of the refugee peoples who are flooding out from behind the iron curtain.

I would say also that the Voice of America and some of the other programs which are being piped by radio into the iron-curtain countries are indirectly causing many of these refugees to seek freedom in Western Europe. Our own program of this nature, it seems to me, must justify our changing our immigration laws in such a way that we can bring in some more of these people who are very courageous and who, many of them and particularly the group I am familiar with (the student), are very, very able people. It seems to me that our country has everything to gain from some of the best scholars of Europe, who see the real need for academic freedom and who have made a very dear sacrifice, and often paid with their lives, in an attempt to seek this freedom.

I think that is the statement I would like to make.

Commissioner O'GRADY. I gather you have had some difficulty about students being permitted to work?

Mr. THOMAS. Not with the displaced-person students. I am talking about the foreign students, not to be confused with the displaced-person students.

That is one of the things that I would like to see made a little more flexible, to meet the needs of some of the students who actually have severe hardship cases.

Commissioner O'GRADY. Have you been able to work it out with the Immigration Service around here?

Mr. THOMAS. There have been a number of cases where we haven't been able to work it out.

Commissioner O'GRADY. Can you work it out with jobs within the college campus?

Mr. THOMAS. Well, often, as is the case with the University of California, there are State charters to deal with also in this regard. Of course, that doesn't affect this body here. There are local and State charters that sometimes interfere.

Commissioner O'GRADY. With the students finding opportunities for work?

Mr. THOMAS. Yes; in the colleges.

If I may, I would like to submit for the record a statement I prepared, with some supporting documents.

The CHAIRMAN. That may be inserted in the record.

(The statement and supporting documents submitted by Richard Thomas follow:)

WORLD STUDENT SERVICE FUND,
715 South Hope Street, Los Angeles 14, Calif., October 15, 1952.

To: The President's Commission on Immigration and Naturalization
From: Richard M. Thomas, Pacific Southwest Regional Secretary, World Student Service Fund
Re Effects of Current Immigration and Naturalization Laws on Displaced and Other Foreign Students Wishing to Study in the United States. (This report represents the personal testimony of the undersigned; it is not an official statement for World Student Service Fund.)

It is my conviction that more liberalized immigration and naturalization laws should be passed by the Congress of the United States for the following reasons:

1. Refugee students are flooding into Western Europe by hundreds each month in search of new freedom. Our Voice of America radio broadcasts, as well as the Radio Free Europe broadcasts, are encouraging these flights to freedom from the Eastern European countries. When the refugees arrive, their hopes for a new and better future are shattered as they face the congestion of West German and French cities and the hostility of the people who know the results of an already overstrained economy. They (the refugees) dare not return to their points of origin in Eastern Europe and must turn in despair to the displaced person camps, or worse, the city slums, because the International Refugee Organization has ceased its operations. I. R. O. was their one great hope for resettlement. These refugee students are therefore faced with two hopeless alternatives: to return home to almost certain imprisonment or to remain as citizenless persons in an economy which cannot yet absorb them and in which there is now no central agency for working on their problems.

Among these refugee students are many freedom-loving and brilliant scholars, who would be an asset to any nation.

2. Many foreign students studying in this country are faced with difficulties due to fluctuations in currency values. For this reason they are left often destitute because our immigration laws prohibit their seeking employment in the United States while they are on student visas. Besides this, many students who would normally be able to work part-time at our universities cannot do so because of university and State charter laws which prohibit employment of foreign nationals.

3. America has historically been known as a country whose doors have been open to the oppressed peoples of every land. The Statue of Liberty was a gift from the French Government in gratitude to the American ideal of liberty, equality, and opportunity to all. We are denying the free peoples of the world and those who in spite of many hardships are still seeking freedom if we do not now pass legislation designed to modernize our immigration and naturalization laws so that these laws are flexible enough to permit sanctuary to all who need it while at the same time providing adequate safeguards to our own people. The current laws are designed to screen people on a political basis, which is counter to the initial interests of our founding fathers.

The inscription on the Statue of Liberty says:

* * * Give me your tired, your poor,
Your huddled masses, yearning to breathe free,
The wretched refuse of your teeming shore:
Send these, the homeless, tempest tossed to me;
I lift my lamp beside the golden door.

I would call the Commission's attention to the attached letter written by an art student named Peter Paul Ornstein, written on April 6, 1950. Mr. Ornstein's plight has been duplicated many times and with far more tragic consequences. Appended to this report are sections of letters and documents which help to point up the severe difficulties facing refugee students due to the complex nature of our immigration and naturalization policies.

It is my conviction that the United States, because of its great land areas, its wealth and economic vitality, can absorb many more of Europe's refugees and other persons wishing to emigrate to this country. The record of success of dis-

placed-person students in this country brought in under the Displaced Persons Act of the Congress has been phenomenal. Out of nearly 800 placements in the last 3 years, less than a dozen have failed to adjust satisfactorily to their new environments.

Respectfully submitted.

RICHARD M. THOMAS,
Regional Secretary.

Enclosure: Peter Ornstein letter. W. S. S. F. Form letter re Sponsors and Job Opportunities Information Release, Students Behind the Iron Curtain.

APRIL 6, 1950.

My name is Peter Paul Ornstein: I am 27 years old and a former Czechoslovakian citizen, born in Hungary while my parents were on a trip. In 1938 I left Czechoslovakia with my family for Lithuania and after the annexation of this country by Russia we were forced to escape via Siberia to Japan, and later China. There I was put into a Japanese camp after the outbreak of the Pacific war. Lucky enough to survive this ordeal I immediately offered my services to the United States Army and have served as propaganda artist and art teacher in their employ. My family and I desperately tried to leave China but could not at this point return to Czechoslovakia because of the political situation. I also hoped to gain a long overdue art education in the United States before returning to a free and democratic Czechoslovkia.

Since I could not obtain the necessary papers for that purpose in China, my father was helpful in obtaining a visa to Uruguay and on my transit through the United States I obtained a working scholarship at the Chouinard Art Institute at Los Angeles and I proceeded to South America in order to await my student's visa. My papers were in order soon enough and I went to see the American consul in Montevideo. He, after inspecting my Czechoslovakian passport, informed me that I would have to have it extended, since the expiration date was only 4 months off. The Czechoslovakian consul in the same city advised me though that my passport was still valid and that there was no reason for extension at this point, but if I insisted I would have to wait 6 to 8 months for a new passport. Since my student's visa was valid for traveling within 4 months only and I also had a steamship reservation, he advised me to have all this done after my arrival in the United States, whereas the American consul first refused to give me the visa on these grounds, but later in order to help me suggested getting a Uruguayan paper from the authorities stating that I could return to Uruguay until June 1950. The local authorities obliged me in this matter.

After my arrival in New York I encountered unexpected difficulties at the Czechoslovakian Embassy where I was informed that it would take some time to get my papers in order. I was anxious to start with my studies and proceeded to California where, at Los Angeles, I started attending school with the financial help of my father.

In the meantime the Czech Government went from bad to worse causing my father financial losses and he had to discontinue sending me funds because of financial, and later, political reasons (new Baluta laws in Argentina).

My consistent attempts to get my Czechoslovakian papers straightened out were foiled by the final Communist coup in Czechoslovakia and the Communist influenced Czechoslovakian consul who, since it had been obvious for some time that I am anti-Communist, tried to force me to return immediately home under the pretext of my having to do military service. Officially though, he stated that he could not extend or renew my passport since I lost my certificate of nationality some time during the war and he knew it was impossible to get one from the present government.

Since I wanted to continue my studies, cost what it might, I was forced to ask for permission to furnish my own livelihood and was granted such. Soon my situation became very unfavorable to my studies, since I had to work for my tuition later after school hours and afterward found it very hard to earn enough for art supplies, food, and lodging. This left no time for necessary home work.

As my possibilities of returning to Czechoslovakia were nullified and my family was living in Argentina where I did not want to go, since I treasure my freedom, I applied for qualification under the new DP law. I also temporarily discontinued my schooling so that I could earn enough money to return to school

at a later date. This was not as easy as I expected and I was unable to earn steadily until recent months. Now I expect to have enough money saved, by September, to allow me to continue my schooling. I am now learning fashion designing while I am working and have received glowing praise and encouragement from my present employers. Not only that, but my work has received attention in many newspapers all over the country and I have had write-ups and reproductions in magazines such as Life, the New Yorker, the California Magazine, Quick, etc.

My return to Uruguay is extremely undesirable for the reason that I wish to continue my studies here. Uruguay never was my place of residence, that I have no ties there whatsoever and do not speak the language, and that I am in love with a local girl whom I hope to marry eventually.

On the other hand, it is clear that I am a DP, since I have been persecuted for a number of years, fleeing Europe across Asia to the American Continent, where I eventually entered the United States with a valid Czechoslovakian passport and have in the process of change of the Czechoslovakian Government during my stay in the United States become homeless again.

The permiso de returno was one of the papers that the American consul required for my visa, so I just had to get it. You understand that my position is desperate since my whole newly started life and future as an artist is at stake.

At my hearing at the Los Angeles Immigration Department it was determined that since I had permission to return to Uruguay I was not a DP and if I do not leave voluntarily I am in danger of deportation, which would leave me stranded and still without a home.

Sincerely yours,

(Signed) PETER ORNSTEIN,
538 North Alexandria, Los Angeles, Calif.

UPROOTED STUDENTS FROM BEHIND THE IRON CURTAIN

Among the 300,000 human being who have fled through the iron curtain since the end of the war, the plight of the students who have interrupted their education is among the most severe. This is a tragedy, not only from a humanitarian point of view, but also because these students represent the real hope for the future of these nations. Their idealism and courage are unmatched among the refugees from Soviet Territory. In many instances they are the first of the refugees who courageously attempt new lives and by any means possible to try to finish their careers in the west. Most of them have made their way to France where by working at night and carrying a full daytime academic load they attempt to prepare themselves for professional careers.

The World Student Service Fund has recently received reports from l'Entre'-Aide Universitaire Française, the comparable French organization set up to provide aid for deserving students, summarizing critically increased need for aid to highly qualified students who have fled countries within the Communist orbit.

The emergency stems from two key factors: Cessation of operation by the U. N. International Refugee Organization, and inability of the French economy to care adequately for the requirements of refugees who constitute as many as one-sixth of all persons now in Western Europe.

Funds formerly available have been cut.—The IRO, which furnished 80 percent of credits supporting the E. U. F.'s grants to stateless students, is ending all operations belond liaison services for mass resettlement schemes. The French Government cannot take on this new burden, having committed a large part of its current budget to rearmament in conformity with North Atlantic Pact agreements, and has even reduced social-security assistance to French students by 50 percent.

A higher proportion of refugee student applicants for scholarships are uncommonly gifted individuals, academically eligible for grants in a far higher proportion than was the case in any year since the war. This higher proportion of superior applicants is emphasized by comparison of the rates of rejection by specialized examining boards. Approximately 60 percent were rejected in 1948–49, 50 percent in 1949–50, and 30 percent in 1950–51. In the summer and autumn sessions this year, about 65 percent of refugee scholarship students were successful in their examinations, in contrast with 40 percent of all students enrolled in French universities.

In the fall of 1950 there were 272 new applicants, plus 412 requests for renewals from students who had not yet completed their studies, a total of 684 when the assurance of IRO help remained. For the year 1951–52, when this main source of support is lacking, it is necessary to reckon on 426 scholarship students who will continue to need aid to finish their studies, distributed as follows: Law, 90; medicine, 83; science, 110; fine arts, 70; humanities, 73. Last spring, 26 out of 50 new requests were recommended by the professors responsible for their respective disciplines: Law, 4; medicine, 2; science, 6; fine arts, 8; humanities, 6. These two groups total 512 students, a number we must conservatively estimate will be doubled because of the influx of new refugees from iron-curtain countries, and because of delays in emigration contingents headed for Canada, Australia, the United States, and South America. The E. U. F. expects a minimum need for 1,200 scholarships, between new applicants and anticipated renewals from scholars who have demonstrated their qualifications, during 1951–52.

Lest these statistics fail to convey the quality of need, we submit brief descriptive material regarding a few of the representative students whose future is at stake. It is necessary to bear in mind the very grave trials these young men and women have suffered, and to remember that the health of these exiles is far from that of students who have enjoyed good diet and relatively uneventful growing years. There are at most 2,000 refugee students in all of France, yet at the sanatorium of St. Hilaire du Touvet alone (1 of 12 French university sanatoriums), a recent census included 30 refugee cases of active tuberculosis.

The Paris office of the International Rescue Committee has furnished these notes regarding a few of the young people concerned.

S. B. is a young Jugoslav physicist of great promise, a collaborator of the celebrated Louis de Broglie, one of the fathers of modern nuclear physics. An emigree in Belgium in 1947, he received his licentiate in science with highest distinction in 1948 from the University of Louvain. Since 1948 he has been working with Louis de Broglie toward a doctorate in mathematical physics, which he has less than 1 year of study to complete. At the present time unless financial assistance is made available to him he will be forced to discontinue his studies.

F., born in 1922 at Perbata in Slovakia, received his maturitat with distinction from the lycee in Bratislava in 1938. From 1942 until 1946 he studied agricultural engineering at the School of Agriculture in Bratislava, gaining his diploma with the citation Tres Bien. He sought to supplement his agronomic studies with law and economics at Slovak University, but after the Czechoslovak coup of the Communists he went to Paris. There he undertook work in biological chemistry at the Conservatoire National des Arts et Metiers, with a view toward a doctorate in science, while working as a laborer in a factory to earn his tuition. When proposed for a scholarship grant, he declined it in favor of another refugee student too weak for physical labor. He is secretary of the Slovakian refugee student organization in Paris, is regarded a born leader, and speaks French, Russian, German, and English fluently. The combination of factory labor and full-time university study is currently such a burden on F. that he is seriously considering the necessity of giving up his studies.

G. M. was born in Taroslaw, Poland, in 1925, had begun to study science when the Germans invaded Poland. He and his family were evacuated by the Soviet forces of occupation to the Ural forests, then to Samarkand, and finally to the slave-labor camp at Alma-Ata in the heart of central Asia. His father died en route. G. M. was imprisoned at Alma-Ata in 1942, where he remained until sent to a Siberian concentration camp for 14 months. After his liberation he worked at manual trades in various Asiatic centers, first in a textile plant, then in a tannery, then in a fishery. After 6 years, he obtained a repatriation order, left the Soviet Union in 1946, and managed to get to France. He immediately resumed his studies in physics and chemistry at the Faculte des Sciences of the University of Paris. He needs two more years' work to win his science degree.

K. H. is of Russian ancestry, born at Lidice, Czechoslovakia, in 1924. She studied in Moscow secondary schools until 1941, when deported by the Soviet authorities. An orphan, she arrived in Paris in December 1945, in extremely poor health after years in concentration camps. After work as a textile designer, she won a scholarship in chemistry. She is continuing her schooling but this scholarship will hardly suffice to carry her through the coming period.

R. R. was born in Zaleszczyk, Poland, in 1925. After the German invasion he managed to escape to France, where he falsified his age to join the French Army

at the age of 15. By May 1940 he was a prisoner of war after participation in the Battle of France, and was sent with other French prisoners to a German camp in Silesia, where his knowledge of local language and customs assisted many of his comrades to escape. After 5 years' captivity, R. resumed his studies and earned his baccalaureate degree in 1948. He worked as a laborer after classes to support his wife and two children, and hopes to complete graduate studies to qualify as an apprentice chemist. Immediate assistance is necessary.

C. was born in Bucharest, has been a refugee in Paris since 1948. Of 2,000 candidates for admission to the Faculte de Medicine, taking examinations in physics, chemistry, and biology, he placed fifth. Dr. Rene Couteaux, chairman of the Faculte de Sciences, has vouched for C's "great ardor and remarkable gifts." Prior to coming to France he and his family fled Rumania and were interned in Jugoslav concentration camps.

The minimal budget for a university student in Paris today calls for a monthly grant of 10,000 francs:

	Francs
Furnished room in University City	3,000
Subway and bus fares	1,000
Meals in university halls at 60 francs	4,000
Books, fees	2,000

At the current rate of exchange, this comes to $25 per month.

Unless immediate action is taken now to give financial assistance to these highly qualified young men and women, a vast reservoir of creative talent will be lost to the western world.

WORLD STUDENT SERVICE FUND,
20 West Fortieth Street, New York, N. Y.

To: DP sponsors with job opportunities still unfilled.

DEAR FRIEND: As promised in my letter of July 11, asking for your judgment on the possibility of keeping Campus Job Assurances open up to October, it is now necessary to report to you on the present state of the DP operation. Of the 335 Campus job opportunities offered, 169 have been filled to date. The chief reason for failure, thus far, to nominate candidates for the other assurances is that persons with the requisite skills needed for the assurances, or able to meet the other conditions, have not yet been found. Moreover, as has been explained before, by the time many of our assurances were received, so great had been the pressure on DP's still overseas to accept any available offer, that many of them, who were in need earlier, accepted opportunities in Canada, Australia, New Zealand, etc., where the immigration laws are not so rigid.

Another factor also in the picture is the fact that, faced with the expiration, as of June 30, of the DP Act, all resettlement agencies offered blanket assurances to assure some emigration possibility to all eligible persons. This means that many DPs have more than one assurance. We realize the difficulties this has caused sponsors who had campaigned on the platform (which was true last fall) that only their efforts would save worthy DP students. However, since emergency action had to be taken, we hope sponsors will interpret this situation to student committees, community employers, etc.

As to the present situation, we need an immediate judgment from sponsors having assurances still outstanding. Legal action having been taken to extend the processing time, the situation now is that any DP who was in processing as of July 1, 1951, will be permitted to continue his emigration to the United States of America until December 31, 1951. While there is no guarantee that candidates for all the remaining openings will be found, it is necessary for WSSF to know the sponsor's decision on them. WSSF will continue to work on all open assurances, up to the end of the year, but we expect, as rapidly as possible thereafter, to terminate this emergency project.

According to our records _____ out of _____ offered by or through you are still unfilled.

Please let us know immediately whether you wish to keep these open until the end of the immigration period, December 31, 1951, or whether you wish us to cancel them.

While it is not now a question of your assurance being a DPs only emigration opportunity, it is still true that the most significant aspect of the student resettlement program is that of relating a DP student to an academic community. We regret the many difficulties caused by delays, changes in DP's plans, etc., but we continue to believe that the operation which in 2½ years produced a total of

735 scholarship or job opportunities, has meant incalculable benefits both to the DP students and the campuses which have assisted them. An operation involving the lives, plans, and hopes of people could not help but be subject to many kinds of change without notice. We appreciate the generous understanding and patience sponsors have brought to this project, especially where immigration and Government regulations were involved and which were outside the scope of WSSF to affect. These are highlighted by the recent famous locomotive dash of 32 Czechs who, having determined to escape, were resettled immediately in Canada. Editorial comment in the New York Times stated:

"We are glad that the 32 who benefited from a locomotive engineer's wild ride to freedom are being resettled so promptly. This is a tribute to the promptness of a private organization, the International Rescue Committee, and also to the flexibility of Canada's immigration laws. But the question naturally arises why they are not being resettled here, for Canada's gain is certainly our loss. The answer lies in the complexity of our immigration laws and the barriers they set up against immigration of refugees from iron-curtain countries who may have been connected, even involuntary, with the Communist Party or its affiliates. The prompt and humane action in this case also contrasts strongly with the slow grinding of the resettlement process in the case of tens of thousands of other refugees, many of whom live in want and near despair in Western Europe. Is the publicity a refugee generates by the mode of his escape to be the criterion for the rapidity with which he is given a chance to start anew and build a useful life in the free world?"

In spite of our complex laws and the other barriers to resettlement, colleges and universities in the United States of America have an outstanding record, not only of rescuing DP students, but of giving them education opportunities to build a useful life in their new home.

We shall hope to hear from you as soon as possible regarding the disposition of your remaining assurances.

Sincerely yours,

MURIEL W. JACOBSON,
Director, Placement DP Students.

The CHAIRMAN. Is Mrs. Weiss here?

STATEMENT OF MRS. MARGARET WELLER WEISS, PUBLIC RELATIONS REPRESENTATIVE OF THE SMALL PROPERTY OWNERS LEAGUE

Mrs. WEISS. I am Mrs. Margaret Weller Weiss, public relations representative of the Small Property Owners League, 200 Lucas Avenue, Los Angeles, Calif.

Mr. Chairman and gentlemen of the committee, rabbits are more numerous than mink, and the small property owners of America are legion in number. There are a great number of them in the city of Los Angeles, and I am one of them.

Heretofore we have been an unorganized minority and for the first time in this city and for a very few times in America we are becoming organized. We are now organized all over the city of Los Angeles and down into the county. We are launching a national effort now in the very near future.

We are deeply concerned in this matter of immigration, but perhaps for a reason that some of the visionaries, the do-gooders, the very young idealists, and others who may not know the problems of the very small property owners have never even thought of. But it is a matter which your committee should consider very deeply, gentlemen, because it is fundamental to the rabbits who are more numerous than mink, the small property owners of America.

Fundamentally and before everything else that a small property owner thinks of, secondarily only to his ideas of worship and his freedom, are the ever-pressing claims of how to make a living, how to meet

the payments on the home, how to clothe and keep the children in school. We are the people whose boys are in Korea.

I have no sons but my brother has two, and they are the boys in our family. One boy just came home 3 months ago from Korea. We are grateful that in America we had a chance to pray and the boy came home unharmed. The other boy, in our family of the two, faces the prospect of going. He is in college at this time. My brother has not found it a very simple matter to educate his two sons.

Countless are the members of our organization, which includes in its ranks every kind of a citizen except the very wealthy. We have none of those. But the small property owners, who are the shareholders of America, know no colors or divisions among them. Any man in this blessed country or any woman who can get together the price of a small piece of property has been here privileged to possess it. We are struggling to keep that precious privilege, which we think is one of the rarest things on earth and here it is a common heritage.

We feel that we want to see immigration tighter, not looser. We well remember, gentlemen, the last depression, and we are well acquainted and well versed in the fact that following every war in our country there has been a bust. First there has been a boom created by the war, and that was as far back as the Civil War for my people were here then and they were here at the time of the Revolution. There has been a boom during every war and a bust which followed, and we will have another one, just as sure as the sun rises tomorrow, when this thing is finally resolved.

The thing we are concerned with here is, how are we going to have jobs? Following the bust of 1930 and 1932 my husband, who was a young man then, lost his job. We had a little two-room house, which was at the time our sole worldly possession, that we had sacrificed a good deal to make the down payment on when we bought it, which was during the boom. It is only by our combined efforts that we were able to hang on to our house. He lost his job. And the country, when President Truman, or President Hoover, closed the banks—we as a family have never forgotten the incident. We did hang on to the house, but we had a very big struggle.

I see a gentleman (member of the press) laughing over here, but if he had walked the floors like we had to he wouldn't look at it with any laughter. To have lost that place would have wrecked us, and I don't know whether we would have had the courage to try again, for we had several years of hardship.

My brother's boys were born at this time. This boy in college costs money. If my brother were to lose his job, he couldn't keep his boy in college. A boy in college these days can hardly completely support himself. He can contribute, but with the distances they go to school and all the other things entering into it make it so they can hardly completely make a living and go to college at the same time, unless he goes a good many years and works a year in between.

We remember the difficulties my husband and my brother had, and there are many other housewives like me. There are some of our members in this room tonight, up there and back of me. There are some members here of the Small Property Owners League who remember what it was like to be out of a war boom and we remember that

if we had had unlimited immigration we couldn't have found very many jobs because we couldn't find any as it was.

Now, then, charity begins at home. We are practical people. We are the people who pay the bills. We build the schoolhouses and fill them, and we build the post offices and we use them, and we pay the salaries of all levels of government from the city hall to the town hall up to the Members of Congress and the President of the United States. We must find the money to do that or a terrible thing happens: The Government through the taxation will take away those little properties, the small properties, which we are organized to defend.

Now then, as a small property owner who speaks for very many others in this great city, I am asking you to consider how you expect us to have jobs when things begin to get tough, and they will. How will we pay our taxes and keep our children in school if you give us competition more than we have now? A man doesn't find it so easy between the wars. We always have the ever-present unemployment problem, which some of you must be familiar with. In the jobs you have you may not have such keen competition, but in those jobs which are open to small property owners there are always competitors and when you get a little older it steps up. When wars end and a great number of fine young fellows come home their fathers begin to find it a little tougher to hang on, especially when a good-looking Army officer or buck private will come in to the boss and offer something about as good as he can give plus the advantages of being a young man.

Now, then, it is one of the primary things in which we are interested, the job proposition. We women are desperately concerned about that, those of us who make homes. Those of us who hold jobs face just exactly the same thing as the men do. One woman spoke here today about the lady garment workers. I have two friends who are members of the garments union and they have gone through a tough time trying to hang on there right now.

So, let us as American taxpayers and voters bespeak before this grave and earnest matter of opening the doors wider to immigration. And, remember, we stand before you upholding with all our strength the McCarran bill and an ever-strengthening effort to protect first and last of all the home owners, the parents and children of free America.

Shakespeare said: "To thine own self be true and it must follow as the night, the day; thou canst not be false to any man." George Washington said: "Friendship is all. Trade with all and entangling alliances with none."

Gentlemen, don't entangle our right to keep our homes and to earn a living.

The CHAIRMAN. Thank you.

I have been handed a prepared statement which was submitted for Prof. Dean E. McHenry, professor of political science at the University of California. The prepared statement will be inserted in the record. However, I want these remarks I am about to make to appear in the record also.

I have been informed that Professor McHenry is the Democratic nominee for Congress in the Twenty-second District of California. According to his statement he represents Clinton McKinnon of the Democratic State Central Committee of California.

What this Commission decided in the very beginning was that it would not invite statements from those engaged in the prepolitical

campaign. We think our task makes it mandatory that we approach the problem in a strictly nonpartisan manner and so we do not invite statements from those who might think it is politically wise to make statements at this time. We are not interested, as a Commission, in the political campaign, and we certainly want to employ every effort we can, to make it clear that nothing we do has any bearing on the political situation.

I am willing to accept this statement for the record as Professor McHenry's personal views, but I am not willing to accept it as the representative of anybody connected with the Democratic State Central Committee of California. I don't think that has any bearing on what we are doing. With that understanding, Professor McHenry's statement will be inserted in the record as coming from him personally.

One further comment. When we were in Boston, for instance, we received personal statements—and they appeared before the Commission—from Senator Lodge, who is a candidate for reelection, and Representative Kennedy, who is also a candidate for the same seat. We have taken the position that we will not knowingly invite any candidate for public office to appear before the Commission, but if they make requests and we have the time we won't deny them the privilege of placing their views into our record. So, this will go in as a personal statement.

(The statement of Prof. Dean E. McHenry follows:)

STATEMENT SUBMITTED BY DEAN E. MCHENRY

I am Dean E. McHenry, Democratic nominee for Congress in the Twenty-second District of California. I am also professor of political science in the University of California, Los Angeles, on leave. I represent Clinton McKinnon of the Democratic State central committee of California.

In my opinion there are several objectionable features of the McCarran-Walter Immigration Act.

In general, I believe that some more rational basis than "national origins in 1920" should be found. Many of us who have been in the United States for generations cannot say precisely what elements have gone into the making of an American. I would like to see the eventual abandonment of race and national origin in the determination of quotas.

Instead of a flat number of permissible immigrants I should prefer a flexible arrangement, within minimum and maximum limits, administered by a permanent commission on immigration. Such a commission should be charged with setting precise limits based upon the capacity—economic and social—of the country to absorb migrants.

If it is not possible to abolish the rigid quota system, I would suggest that the unfilled quotas of countries be made available the following year for nationals of other countries that have exhausted their quota numbers.

I am concerned over deportation provisions of the act, particularly the retroactive features under which fully rehabilitated persons may be deported for crimes—even petty ones—committed years before the act was adopted.

The CHAIRMAN. Is Mr. Meyer here?

STATEMENT OF EDWARD L. MEYER, CHAIRMAN OF THE AMERICANISM COMMITTEE, NATIVE SONS OF THE GOLDEN WEST

Mr. MEYER. I am Edward L. Meyer, chairman of the Americanism Committee, Native Sons of the Golden West, 839 Rowan Building, Los Angeles.

Briefly, I wanted to state that the committee has just received copies of the McCarran-Walter immigration bill. We haven't had an opportunity to discuss any of the provisions of the bill, but we would like

at a later date to submit our thoughts in a statement and forward it to the Commission.

I would also like to say that we have no quarrel with Senator McCarran or Representative Walter. We think they are fine Americans and that they are doing a good job.

I believe that is all.

The CHAIRMAN. Mr. Meyer, can you give me an idea of when you will be able to forward a statement?

Mr. MEYER. I think within the next 2 weeks or so.

Thank you for the opportunity to appear. For the record, I would like subsequently to submit a brief statement to supplement my remarks here.

The CHAIRMAN. That will be inserted in the record at this point.

(The prepared supplemental statement submitted later by Edward L. Meyer, chairman, Americanism Committee, Native Sons of the Golden West, is as follows:)

GRAND PARLOR, NATIVE SONS OF THE GOLDEN WEST,
PAST GRAND PRESIDENT'S ASSOCIATION,
Los Angeles 13, Calif., October 23, 1952.

Mr. HARRY N. ROSENFIELD,
Executive Director, President's Commission on Immigration and Naturalization.

DEAR SIR: Supplementing the brief statement made by Eldred L. Meyer, State chairman, Americanism committee, Native Sons of the Golden West, when appearing before the President's Commission on October 15, 1952, in the Federal Building at Los Angeles, at which time permission was granted to submit the committee's position on the McCarran-Walter Immigration and Naturalization Act, we submit the following for your consideration:

Our committee has made a study of the McCarran-Walter Immigration Act, and we offer the following comments and suggestions to the President's Commission for their consideration, when they report their findings on Californians' attitude toward the present McCarran-Walter Immigration and Naturalization Act.

At the outset, we would like to point out that the Native Sons of the Golden West have never taken a position on European immigration, but have confined their efforts toward halting the flow of Asiatics to the Pacific coast and especially California. Representative Samuel L. Dickstein, chairman of the House Committee on Immigration and Naturalization for many years, complimented the Native Sons of the Golden West for being consistent through the years when he and his Subcommittee on Immigration and Naturalization held hearings in Los Angeles in August 1945. There has been no departure from the traditional policy of the Native Sons of the Golden West discouraging Asiatic immigration to the United States. The Native Sons of the Golden West are unalterably opposed to having any new measures passed which would further liberalize and open the door for Asiatic immigration and naturalization.

This is not a new question in California, as citizens of the Golden State have, for over a half century, always expressed themselves in the majority to secure legislation on immigration which prevented the hordes of the Orient from making a dumping ground of California, for nationals of 19 purportedly overcrowded Asiatic countries. In the first 20 years of the twentieth century, Japan was the principal offender in violating immigration agreements. The Japanese population in California grew as follows:

	Japanese population
1900	10,151
1910	41,356
1920	71,952

United States census figures for the three Pacific Coast States combined were as follows:

	Japanese population
1900	18,269
1910	57,703
1920	93,490

To stop this influx of Japanese, and to prevent the Pacific coast from ultimately becoming a Japanese colony, the oriental exclusion provisions were made a part of the immigration law of 1924. This law prevented the immigration to the United States of all persons not eligible for United States citizenship. Over half of the population of the world falls into this category.

It is significant that the organizations instrumental in securing adequate exclusion laws before the 1924 Immigration and Naturalization Act was made into law (and which have since continuously defended it) while differing widely in membership and purpose, have no selfish or class interest in this matter. They have been actuated by what they conceive to be the vital concern of the Nation. These organizations include the National and California State bodies of the American Legion, American Federation of Labor, Grange, the Native Sons and Native Daughters of the Golden West, and the American Coalition of Patriotic Societies, comprising over 90 affiliated organizations. Today many new names are added to those protesting enlargement of quotas for Asiatics. Some had representatives and spokesmen appearing at the public hearings of the President's Commission.

Taking a position opposite to our viewpoint are some organizations which cannot be taken for leadership in either the community in which they reside or at the national level. On August 27, 1945, representatives of the southern California chapter of the National Citizens Political Action Committee appeared before the Dickstein House Subcommittee on Immigration and Naturalization. The following is quoted from paragraph 3 of their organization's prepared statement:

"We submit that the question of immigration has become a world question and should be studied and investigated as such by the Economic Council of the United Nations Organization. Similarly the United Nations should be asked to undertake the preparation of a uniform Immigration and Naturalization Code, to be submitted for ratification approval to the various member nations of the United Nations."

The Native Sons of the Golden West, in convention assembled, are on record as being opposed to the United States surrendering any further rights to the United Nations or any one-world federation. To do so would be to trade our Constitution, Bill of Rights, and the flag of the United States of America for something still not realized by the dreamers and architects of the one-world philosophy. All first-class nations reserve the right to regulate the flow of immigration into their country, and the United States will never willingly relinquish this right. The Native Sons of the Golden West will strive at all times to prevent a greater number of Asiatics from immigrating to the United States. .

While we opposed quotas for Asiatics as people ineligible for United States citizenship, let us look at the average present quota for these people: Roughly about 100 persons per year are permitted immigration, per Asiatic country, into the United States. As this applies to at least 19 countries, it would mean admitting some 1,900 Asiatics per year. As so well predicted many years ago by our pioneer in this field, the late V. S. McClatchy, executive secretary of the California Joint Immigration Committee, "Once a quota would be granted, a later Congress would be appealed to for a larger quota," and that is just what the enemies of the McCarran-Walter Act are now attempting to do. Doubling of the present quota by a future Congress would admit to our shores 3,800 or more Asiatics per year, and again, some future Congress might fix a different formula, and we would see the number skyrocket to very large proportions. It is not too difficult for us to predict, for the not too distant future, that China, east India, or Japan would request to be admitted on the case basis as that granted to the assimilable races of the nations of Europe, and we would then see their dream come true: the hordes of Asia peacefully taking over the lands of California and the Pacific coast. We have no quarrel with Senator Pat McCarran or Representative Frank Walter, or their committee. On the contrary, we think they deserve credit for tackling a momentous task of rewriting an Immigration and Naturalization Act which has been amended for many years past, and is a vexing problem which will never satisfy 100 percent of the people of the United States. The Americanism Committee of the Native Sons of the Golden West is especially gratified to see the security provisions in the new law pertaining to strengthening deportation and exclusion procedures against Communists and other subversives.

Past Grand President Raymond T. Williamson, attorney at law in San Francisco, attempted to represent the Native Sons before the President's Commission there, but due to an overcrowded agenda was unable to testify. He did act as an observer for our organization, and passed on to the undersigned the comments of a young man from Washington State College, in Pullman, Wash.

His view was in direct opposition to those testifying that immigrants would be primarily farmers and that they would take their place on the family farms. The young man from Pullman pointed out that there was no criteria by which a family farm might be fixed as to size, productivity, or anything else, and explained to your committee that the farmers of eastern Washington were large operators and the only way they could produce to be successful financially and otherwise, was to keep their operations on a large scale. He went on to explain that their hop yards are of great size, and that previous to their mechanization, it took 2,500 employees to do the work that was now accomplished by approximately 600, and that these 600 employees were not constantly on the job, but were merely used seasonally.

The above testimony coincides with a recent press release about California's native son Governor, Earl Warren, who stated that the past year alone saw 80,000 less jobs for cotton workers in one section of the San Joaquin Valley due to the successful operation of mechanical cotton picking devices. His remarks were directed toward the urgency of new developments, to avoid a local unemployment problem. The Governor did not mention immigration, either directly or otherwise, but it is apparent that a large influx of Asiatic farm laborers would add to American unemployment.

We urge that a thorough, long-range study of this serious question be made before making any recommendations for enlarged quotas for the peoples of Asia for the following reasons:

1. Nonassimilability of Asiatics.
2. Low standards of living of those peoples.
3. Alien laborers willingness to work for low wages.
4. Many States forbid marriage between Asiatics and whites.

Larger quotas would not increase our foreign trade relations, each country buying in the best-priced markets. Asiatics living here develop foreign colonies, which lead to friction and misunderstanding. Finally, our first consideration in all immigration matters should be the permanent welfare of this Nation, notwithstanding the desires of foreign nations or the interest of classes, sections, or groups in this country. Above all, we are unalterably opposed to enlarging the immigration quotas for each Asiatic country as being inimical to the best interest and welfare of the people of California and the United States.

Respectfully submitted.

(Signed) ELDRED L. MEYER.
Chairman, Grand Parlor Americanism Committee, Native Sons of the Golden West.

Committee Members: Seth Millington, Frank J. Collins Sr., Bernard G. Hiss, B. W. Gearhart.

The CHAIRMAN. The Commission has received a number of communications since its arrival here. Many of them are statements which are desired to be inserted into the record.

Mr. ROSENFIELD. Mr. Chairman, to the end that you have just stated, there is a statement from the Masaryk Alliance of the Czechoslovakian Citizens.

The CHAIRMAN. That may be inserted into the record at this point, as well as the other statements received.

(The statement submitted from the Masaryk Alliance of the Czechoslovakian Citizens is as follows:)

STATEMENT SUBMITTED BY THE MASARYK ALLIANCE OF THE CZECHOSLOVAKIAN CITIZENS

Reasons advanced in favor of the change of the Czechoslovak immigration quotas at a hearing October 15, held by the President's Commission at the Federal Courthouse in Los Angeles, Calif.:

As American citizens, we feel to be our duty of primary importance, to protect the interest and welfare of the United States of America. But being of Czechoslovak extraction, we also feel it to be our duty to call to the attention of all this country, that the Czechoslovak, as a nation, was one of the most fateful friends of the United States and deserves to be regarded as an ally.

In that aspect the quota system, based on the statistic of 1890, cannot do any justice to the Czechoslovak people, because at that time the Czechs coming

to America were regarded as Austrians and the Slovaks as Hungarians. But it were mostly only the Czechs and Slovaks who were coming here, because of the oppression at home.

It might be very seriously doubted, that after 30 years, when this system was first adopted, there were any means to distinguish between a Czech and an Austrian and between a Slovak and a Hungarian. Names and places, to enable a fair judgment, do not mean anything. One of the most known cultural and social workers we ever had, Vojta Naprstek, came to America under the name of Albert Fingerhut. He had to flee to America, because of some remarks he made about the then ruling Habsburg dynasty, but who ever would seek, under such name a Czech. That is only one example, but such ones were by thousands.

But since the First World War the Czechoslovaks established their own record, a record of the most ardent devotion to the United States of America. They were allies of America in the First World War and remained faithful in the second. American parachutists were always safe with the Czechoslovak people. Sometimes, they did not understand their language, but the mere fact that they are Americans was sufficient to provide them with a hiding place and provisions even by risking their own lives. As conditions are there today it might be safely assumed, that should the Voice of America direct a call across the border line from Germany "come to our banners," it would take more than the Russian machine guns to stop them. This is also why the communistic masters of Czechoslovakia are conducting such a vicious campaign of hatred against America and why so many Czechoslovaks had to pay with their lives.

The devotion to America and its ideals is in Czechoslovakia universal and cannot be erased even by the horrors of communism. When they flee to Germany, they don't come to the Germans. They come to the Americans. They have to wade through the hatred of the Germans just as well now, as they did during the last war. There is a reason for that. They helped all they could to crush Hitler's imperium. And therefore there were many instances, where the German authorities turned the Czechoslovak refugees back to their communistic masters, even to be executed and an attempt was made to make this a regular procedure.

As citizens of this country, we will stand comparison with the most patriotic groups. Our record is one of the most favorable and although even we have some Reds among us, we believe in our ability to weed out the dupes and turn in the rascals. All we ask for the people of Czechoslovakia is fair deal, based on their own record not as Austrians or Hungarians but as Czechoslovaks. In this the United States of America will never be disappointed.

Mr. ROSENFIELD. There is also a communication from Sybil Apgar, 3305 Bayview Drive, Manhattan Beach, Calif.

(The communication follows:)

STATEMENT SUBMITTED BY SYBIL APGAR

OCTOBER 14, 1952.

McCARRAN COMMITTEE,
BOARD OF IMMIGRATION AND NATURALIZATION,
Court Room, Federal Building, Los Angeles, Calif.

MY DEAR MR. CHAIRMAN: George Sokolsky, the columnist and radio commentator, suggested that the public write you encouragement in your great work.

Please do everything possible to keep the Harry Bridges, Serve Rubinsteins, Charles Chaplins, etc. out of our United States. I speak for many friends and relatives who are outraged by the flaunting of our laws and principles of Government and ideals—all that has made this country great.

We consider communism as treason and expect our Government to treat it as such.

(Signed) SYBIL APGAR.

Mr. ROSENFIELD. We are also in receipt of a postal card from J. W. Miller of Los Angeles.

(The communication follows:)

STATEMENT SUBMITTED BY J. W. MILLER

OCTOBER 13, 1952.

This country needs an immigration law like the McCarran-Walter bill.

Our population or stock is being too much diluted.

Too many undesirable immigrants (poor citizenship materials) have been allowed to come into the country in the past few years. Immigration should be limited and only the best admitted.

Respectfully,

(Signed) J. W. MILLER.

Mr. ROSENFIELD. We have a letter from Mrs. Helen Schredder, 3823 Alsace Avenue, Los Angeles 56, Calif.

(The communication follows:)

STATEMENT SUBMITTED BY MRS. HELEN SCHREDDER

3823 ALSACE AVENUE, LOS ANGELES, CALIF.,
October 13, 1952.

COMMISSION ON IMMIGRATION AND NATURALIZATION.

DEAR SIRS: We are strongly opposed to the McCarran-Walter Act as it now stands. It is not in keeping with America's ideals of justice and democracy.

Sincerely,

(Signed) MRS. HELEN SCHREDDER

Mr. ROSENFIELD. We have a joint statement from Alexander S. and Katherine Macdonald, 1722 Virginia Road, Los Angeles 19, Calif.

(The statement follows:)

STATEMENT SUBMITTED BY ALEXANDER S. AND KATHERINE MACDONALD

1722 VIRGINIA ROAD, LOS ANGELES 17 OR 18, CALIF.,
October 14, 1952.

Mr. HARRY N. ROSENFIELD,
PRESIDENT'S COMMISSION ON IMMIGRATION,
Federal Building, Los Angeles, Calif.

DEAR MR. ROSENFIELD: We, as citizens of the Untied States, wish to lend our support to the McCarran-Walter immigration and nationality bill. It represents the will of the majority of our people and is a necessary guardian against the increase of subversive elements in our country.

How can a Commission report on the merits or demerits of this bill when it has not yet gone into effect and had a fair period of operation upon which to base recommendations for changes? The bill represents, we understand, 4 years of study by Congress and experts from the State and Justice Departments.

Will you kindly include this letter of objection to these hearings in the report of the hearing held tomorrow in Los Angeles?

Yours very truly,

(Signed) ALEXANDER S. MACDONALD.
(Signed) KATHERINE MACDONALD.

Mr. ROSENFIELD. We also have a letter from Frances M. Bacon, 849 Mullen Avenue, Los Angeles 5, Calif.

(The communication follows:)

STATEMENT SUBMITTED BY FRANCES M. BACON

849 MULLEN AVENUE, LOS ANGELES, CALIF.,
October 14, 1952.

Mr. HARRY N. ROSENFIELD,
Executive Director, Commission on Immigration,
Los Angeles, Calif.

DEAR MR. ROSENFIELD: As an American citizen, I wish to say that I am in favor of the McCarran-Walter immigration and nationality bill. The law was enacted after a 4-year study of the problem by Congress during which time everyone

who wanted to testify was heard. I believe that our country cannot absorb the great number of people who wish to enter without chaos to our laboring groups.

Since this bill was passed by Congress, it represents the will of the majority, and I feel that it should have a fair period of operation.

[Signed] FRANCES M. BACON.

Mr. ROSENFIELD. We have a statement from Sylvia Saraff of the Beverly Hills Chapter of Hadassah.

(The statement follows:)

STATEMENT SUBMITTED BY SYLVIA SARAFF, ON BEHALF OF THE BEVERLY HILLS CHAPTER OF HADASSAH

OCTOBER 15, 1952.

On behalf of the 3,000 members of the Beverly Hills Chapter of Hadassah we wish to record our opposition to the McCarran-Walter bill, and to urge immediate repeal of the bill.

SYLVIA SARAFF,
Beersheba American Affairs, Chairman.
BERTHA SPERBER,
FRIEDA LAWITZ,
Representatives.

Mr. ROSENFIELD. We have a statement from Virginia Baskin, 11901 Saltair Terrace, Los Angeles 49, Calif., vice president of the Brentwood Chapter of the Pioneer Women's Organization.

(The statement follows:)

STATEMENT SUBMITTED BY VIRGINIA BASKIN FOR PIONEER WOMEN'S ORGANIZATION, BRENTWOOD CHAPTER

11901 SALTAIR TERRACE, LOS ANGELES 49, CALIF.

Our national organization, as well as each chapter, wishes to put itself on record as being opposed to the McCarran-Walter Act.

We feel the immigration quotas established are definitely an attempt to exclude all but non-Aryans from entering the United States.

We feel the United States has traditionally been the refuge, the haven, for those abroad who wished to espouse the cause of liberty. By this act, we are limiting immigration and so cutting our country off from a rich supply of freedom-loving people who can eventually contribute much to our country's culture.

We also feel that the act makes a discrimination in penalty between citizens and noncitizens. This certainly violates our concept of equality before the law.

For these and many other reasons, our organization urges that the act be abolished, or else vital changes be made to eliminate racist and oppressive aspects of this law.

Respectfully submitted.

VIRGINIA BASKIN.

Mr. ROSENFIELD. We have too a statement from Anthony Aroney, Jr., past supreme vice president of the Order of the Ahepa, the American Hellenic Educational Progressive Association.

(The statement follows:)

STATEMENT SUBMITTED BY ANTHONY ARONEY, JR., PAST SUPREME VICE PRESIDENT, ORDER OF AHEPA

OCTOBER 15, 1952.

To the Special Commission on Immigration and Naturalization Hearing, Federal Building, Los Angeles, Calif.:

Thank you, on behalf of AHEPA whom I represent at this hearing, for the opportunity to appear before this committee and express the opinions of our organization concerning the immigration and naturalization of Greek nationals.

AHEPA is an organization whose membership is comprised of people of Greek ancestry in the United States. Originally, we organized for the purpose of helping immigrant Greeks adjust themselves to the ways of this country, to learn the language and to find employment.

Eventually, our organization increased in number and our services extended into the fields of charity and social assistance.

Today, AHEPA has many programs which include the maintenance of facilities for the care of the aged; programs intended to stimulate the activities of young people of Greek extraction in the fields of athletics, science and art; programs for the purpose of rendering aid to people of Greek extraction in time of emergency and disaster; and a continuing program aimed at helping immigrant Greeks to become quickly adjusted to our American economy.

It should be emphasized that, while AHEPA is an organization of people whose ancestry was in Greece, it is foremost an American organization with its allegiance to the United States of America and with its objective to serve the United States through service to the Greek people who have come to this Nation.

I believe that this brief explanation of AHEPA is necessary because it helps to establish the fact that our organization is always at the disposal of the United States Government or its agencies, especially in matters such as this when we can give you an expression of the opinion of the Greek-American community, in America concerning policies of immigration, naturalization, exclusion, and deportation.

It is not my purpose nor that of AHEPA to present a program for immigration This, we properly believe, is the concern and prerogative of the committees and commissions, such as this, who have made extensive studies of the conditions resulting from existing naturalization policies and who are thereby enabled to make certain recommendations and suggestions for improving, restricting, or expanding the quotas for nationals from various foreign countries.

We are, however, seriously concerned with the future of the Greeks in America. These who have been permitted to enter this Nation since the beginning of immigration quotas, have shown themselves to be good citizens and have made important and valuable contributions in every walk of American life. Greek immigrants have entered commerce and the fields of education, science, business, art, and politics and have demonstrated themselves to be capable and trustworthy.

The American Greek is unalterably opposed to every form of communism and sees in today's American Government a kind of government that was denied to his ancestors for hundreds of years. He is willing to do everything in his power to help maintain that government and is willing to lay down his life to preserve it when necessary.

This has been demonstrated many times during the past two major wars and today on the battlefields in Korea.

I am mentioning this not because there is anything unusual in the willingness of a good American citizen to die for his country but because I want it clearly understood that neither AHEPA, the Greeks who have come to America and their children after them, nor the Greeks who have longingly turned their eyes in this direction, can ever be anything other than good citizens, good people who realize that, while this country has much to give them, they are obligated to give it their best effort, their loyalty, and their devotion in return.

On November 17, 1950, the Order of AHEPA was accepted for registration with the Advisory Committee on Voluntary Foreign Aid with the Department of the State and was assigned registration number VFA-058.

Our function was to handle the difficult problem of clearing, selecting and settling Greek people who came to this country under the displaced-persons program.

The report of the work of AHEPA is available to this Commission from our national headquarters at 1420 K Street NW., Washington, D. C.

I should like to point out that the displaced Greeks who were brought to this country under the program and whose adjustment was under the direction of AHEPA are employed and are self-sustaining.

I do not know of a single instance where any person was brought into the United States from Greece and where that person became a public charge.

As a matter of fact, in most instances, the persons in charge of the Greek displaced-persons program made a distinct and successful effort to create jobs for people, so that there would not be an occasion or instance where some other person faces lessened job opportunities because of the adjusting immigrant.

AHEPA has shown itself to be a responsible organization with regard to the handling of Greek nationals into the United States. Our experience has shown us and the United States Government that the entrance of Greeks into America is a good thing, that it contributes to society by bringing culture, a willingness to work and a high degree of loyalty for an adopted land.

AHEPA respectfully urges your most serious consideration to the matter of increasing the quotas for Greeks to enter America rather than lessening the opportunities for these people to find a richness of freedom here that is not to be found elsewhere.

Currently, only 308 persons from Greece are permitted into the United States during a year under the quota system. It is my opinion that this figure can be increased substantially and that any reduction of this quota—and I understand that the McCarran-Walter bill proposed such a reduction—would be adverse to public interest and contrary to the traditional policies and practices of the United States immigration system.

The success of the recently concluded displaced-person program has been amply proven. What is vitally needed now is an extension of this program that will permit more Greeks, particularly those from the northern part of Greece who have been displaced during recent Communist uprisings, to enter the United States.

I recommend that this Commission consider a 10-year displaced-person program with regard to the immigration of displaced persons from Greece. I recommend that the figure be fixed at 50,000 displaced persons, with the limitation set at 5,000 annually. The Greek organizations in the United States can readily cope with this number of displaced persons, and I am certain that such a program will redound to the benefit of our entire international policy with regard to our relations with Greece.

The figures I am recommending will, of course, be in addition to the regular quota figures fixed for immigrants from Greece.

I suggest for your consideration the plight of many young Greeks who have come to the United States for the purpose of education. Subsequent to entering the country, they have registered for the draft program and many of them have become a part of the United States Armed Forces.

Some consideration should be given to the nationalization of these young Greeks, who, without exception, will want to remain in this country and seek the advantages and opportunities of American citizenship when their periods of services in the Armed Forces are over. Extensions of permits to remain in the United States should be the least of your consideration. Here, again, we have a dramatic example of the Greek in America showing his ready willingness to do his part, even when he may only be here as a visitor.

It has been said that the principal reason for a bill restricting the immigration of people from foreign countries is that continuing immigration provides an opportunity for the entrance of people with subversive objectives.

I cannot speak for any other country but Greece, but in this instance I can say with authority that Greek immigrants make good Americans. I know of no instance of a Greek subversive element, and I certainly know of many instances where Greeks have made substantial contributions toward bettering our American way of life.

The practices of the Immigration Service of the United States Government cannot be criticized by our organization. They have been most helpful and have certainly functioned with the best interests of the United States and the problems of our immigrants foremost in their minds.

The question posed by the McCarran-Walter bill is whether or not immigration should be restricted.

Speaking for AHEPA and on the side of the Greek immigrant, we ask that it not be restricted, but that, instead, it be expanded to afford more opportunity for more people to share their loyalty and their talents with the United States.

Mr. ROSENFIELD. Then, we have a statement from Frank P. Tripp, also of the Ahepa.

The CHAIRMAN. I recall he appeared before us in San Francisco to say he would file his statement here.

(The statement is as follows:)

STATEMENT SUBMITTED BY FRANK P. TRIPP, IN BEHALF OF THE ORDER OF AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION (AHEPA) OF THE WEST COAST

If one is to review and analyze the record of the Greek immigrant in America he will quickly find in it the story of a people, whose energy, resourcefulness, and enterprising spirit contributed measurably to the earthly growth of young America. While it is my appointed task to lay before you the views of the members of that great American-Greek organization, the Order of Ahepa, particularly as it relates to the accomplishments of west coast Greek immigrants. I should not desire to leave the impression that my statements are with bias since I, too, came here as a 4-year-old boy with my parents. Well, after living in a country for 40 years, you soon find that there is only love for one—America. Therefore, the same reasons that would make the Greek immigrant a highly desirable American citizen apply to other nationalities. The important thing to remember in applying the yardstick of qualification is, how does it benefit and strengthen America, first, last, and always.

It is my opinion, and one which I hope the Commission will adopt, that however deserving or humanitarian may be the cause of Greece and the hope of thousands of her citizens to come to this land, unless it is to the economic interest of America, unless these new immigrants can contribute to the growth and expansion of this country every other argument, however meritorious, is only secondary. We Americans must first consider and keep before us the reasoning that we cannot afford the luxury of being a humanitarian nation unless we keep powerful and wealthy and that every natural resource be utilized to keep us so. The prime factor and the yardstick that must be employed in the processing of immigrants, whatever their nationality—will these people add to the wealth and prosperity of America? Will they preserve the citadel of freedom that free people created in this strange land?

Now, let us take the history of the Greek immigrant of the west coast, since, it was here, as most other Americans, he was last to settle. Is he industrious? Is he enterprising? One has but only to observe the hundreds upon hundreds of various business establishments flourishing up and down the coast to attest to this fact. While in many instances, he has taken to the professional world in the field of medicine, in the field of law and science, it is in the business world that his greatest contributions to the stability of the economic life of this Nation have been. I am sure that few will argue the point that our Nation today owes, in a large measure, its success to the fact that it is small businesses throughout the country that constitute the true prosperity of America. Consequently, our country will forever need that type of immigrant whose tenacity, resourcefulness, and ingenuity is such as to overcome the many reverses and problems besetting the businessman of today. It is in this way that the millions of jobs necessary in our present day economy can be continuously augmented, and the abundant life as we know it today, particularly as it has been in the last 20 years under the Democratic Party.

One wonders what Senator McCarran could have been thinking of when he pushed Public Law 414 through the Congress and thereby disregarded not only the true interest of the United States but reaffirmed the stigma of the 1924 law based on national origin quota system that singled out immigrants from certain parts of Europe as undesirable. How, in the light of history, and particularly to the cause of world peace and freedom from tyranny that the Greek people, perhaps more than any nation in the whole of Europe, contributed could this disregard of all moral and humane reasoning be enveloped in one law is beyond my comprehension and I am sure the understanding of millions of American citizens. It is fortunate, indeed, that we are blessed with a President whose capacity to understand and fight for the large overwhelming majority of American people is without parallel in our time. That very veto of this unfair, discriminatory, and very isolationistic law took a man, with the feeling for his people, and their true desires, as only President Truman possesses.

Mr. Chairman and members of this Commission I urge you to do everything in your power in correcting this bad piece of legislation before it causes America irreparable harm. The present law is a bill written by the will of the minority groups and does not recognize that the United States is committed to the world to be the champion of fair play in full recognition of the rights of human beings before God and the laws of man.

Respectfully submitted.

FRANK P. TRIPP.

Mr. ROSENFIELD. We have a statement from Mr. Boyd H. Reynolds, attorney, suite 331, Douglas Building, 257 South Spring Street, Los Angeles 12, Calif.

(The statement follows:)

STATEMENT SUBMITTED BY BOYD H. REYNOLDS, ATTORNEY

BOYD H. REYNOLDS,
COUNSELOR ON IMMIGRATION AND NATURALIZATION,
257 South Spring Street, Los Angeles, Calif., October 15, 1952.

Re McCarran-Walter immigration and naturalization bill.

CHAIRMAN, PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION

SIR: I represent a great proportion of the Chinese population of southern California in matters concerning immigration and naturalization. I also have a large clientele of persons of the Mexican race.

The Congress of the United States in passing Public Law 414 over the President's veto stated that it realized that there were imperfections which could be remedied by later amendment.

In my opinion, section 360 (a) of Public Law 414 is entirely unconstitutional for the reason that it states in substance that the right of habeas corpus shall be denied to any person within the United States who claims American citizenship, and his citizenship is an issue in any exclusion proceeding. This is definitely a denial of the right of habeas corpus to citizens of the United States and in violation of the Constitution, which states that the right of habeas corpus shall not be denied except in cases of war. This section 360 of the law also gives absolute power to the Immigration Service and the Board of Immigration Appeals on matters of citizenship which is contrary to the American concept of government, our Government being a government of checks and balances. It is also a maxim of American law that there should be an appeal from the decision of any administrative official.

Paragraph (b) of section 360 is also unconstitutional in that it gives the same power as cited above to an American consul abroad. Both sections deny the right of judicial determination of citizenship and are abhorrent to the American way of life. It also states that a person in order to apply under subsections (b) and (c) must be under the age of 16 years or who has lived in the United States at some prior time. This is definitely unconstitutional.

This section 360 of Public Law 414 is abhorrent to all American citizens as it denies the right of judicial determination of citizenship. It sets up an administrative official as a czar who by a wave of his hand can deny you or me the right to bring our foreign-born children to the United States. I would suggest that section 360 of Public Law 414 be entirely repealed and section 503 of the Nationality Act of 1940 (903 Federal Statutes) be reenacted of the law. A few of the rights of American citizens who have children abroad would thus be preserved.

The Department of State has repeatedly and continuously over a number of years demonstrated its inability to act in a judicial or semijudicial capacity. The State Department is always going off on some tangent. At the present time it is inflicting untold indignities upon persons of the Chinese race who claim citizenship under section 1993 of the Revised Statutes. They have devised the diabolical scheme of forcing every person of the Chinese race who claims American citizenship by derivation to submit to blood typing which is not authorized by law and to have X-rays taken of his knee joints, pelvis, etc., and so-called radiological examinations. These indignities are not inflicted on persons of any other race than Chinese. My suggestion is that the Congress of the United States prohibit the State Department and/or the Immigration and Naturalization Service from requiring either blood typing or radiological examinations in the cases of persons claiming United States citizenship by derivation.

As an example of the assininity of the State Department I am enclosing herewith copies of a few of their letters of recent date taken at random from my files.

Under Public Law 414, section 201 to 207, inclusive, provide that the alien husband and alien wife and alien children of an American citizen are entitled to nonquota status. However, it is regretted that the said law only grants second preference to the father or mother of a citizen of the United States. This is a useless gesture especially under the Chinese quota of 105, as it means nothing. The law should be so amended to provide nonquota status for the father and mother of an American citizen.

Our State Department of the Government of the United States has long bombarded the Spanish-speaking peoples of the Western Hemisphere with the so-called "good-neighbor" policy and it has always been the policy of the United States to follow the "most-favored-nation clause." The entire Public Law 414 is anti-Mexican and especially section 244, paragraph 5 (b), reading as follows: "The provisions of this subsection relating to the granting of suspension of deportation shall not be applicable to any alien who is a native of any country contiguous to the United States, etc." This is a direct slap in the face to Mexico. With one hand we are asking her cooperation and with the other we slap her in the face.

Section 405 (a) contains a joker stating that an application for suspension of deportation which is pending on the date of "enactment" shall be regarded as a proceeding within the meaning of this subsection. Please note that the author of the bill apparently deliberately used the word enactment rather than effective date to prevent the thousands of persons who had applications pending from having their cases satisfactorily terminated by suspension of deportation. Among my own clients alone I have seen many cases of alien husbands or alien wives or both separated from their American citizen children to satisfy the author of the bill. Untold agony has been caused by Public Law 414 denying suspension of deportation to persons of the Mexican race.

I recommend that section 244 (5) (b) be amended to grant citizens of Canada, Mexico, and adjacent islands the same privileges and rights that are accorded citizens of the most-favored country.

Respectfully submitted.

(Signed) Boyd H. Reynolds.

Department of State,
Washington, September 22, 1952.

Mr. Boyd H. Reynolds,
Suite 214, Douglas Building, 257 South Spring Street,
Los Angeles 12, Calif.

My Dear Mr. Reynolds: With reference to your letter of July 7, 1952, file number 1/522 and your telegram of September 12, 1952, concerning the citizenship claim of Woo Dung Dai, who appears also to be known under the name of Woo Yee Lim, you are informed that the Department has again reviewed the citizenship claim in the light of the results of the investigation conducted by an agent of the Department and in the light of the material which you have previously submitted.

The Department does not consider that the identity of the person who presented himself at the American Consulate General at Hong Kong as Woo Dung Dai has been established to any reasonable degree, and upon the basis of the record as it stands, the Department would adhere to its previous decision in the case, that the action of the American Consulate General at Hong Kong in denying documentation to the applicant for travel to the United States was justified. Nevertheless, if you will advise the Department that the applicant's alleged mother will be available for blood typing and, in that event, will advise the Department of the address at which she may be located, the Department will arrange to have her blood type and the applicant's blood type ascertained at Hong Kong. The Department will also, in the event that the applicant's alleged mother will be available, arrange to have the blood types of the other members of the family in the United States ascertained through the Immigration and Naturalization Service, and will give further consideration to the case in the light of such blood-type evidence.

Sincerely yours,

Willis H. Young,
Acting Chief, Passport Division.

DEPARTMENT OF STATE,
Washington, September 23, 1952.

Mr. BOYD H. REYNOLDS,
Suite 214, Douglas Building, 257 South Spring Street,
Los Angeles 12, Calif.

MY DEAR MR. REYNOLDS: With reference to your letter of July 18, 1952, files number 1/355 concerning the citizenship claims of Hom Kin and Hom Sing, in which you state that the alleged mother of the applicants is unable to secure permission to leave China for Hong Kong, it is suggested that any other letters which the alleged father of the applicants may have received from his wife and which indicate that she cannot arrange to proceed to Hong Kong from China, be submitted to the Department for its consideration.

It is also suggested that if the applicants have received communications from their alleged mother indicating that she cannot arrange to leave China and showing what efforts were made to obtain permission to depart, such communications be submitted to the American consulate general at Hong Kong for its consideration in regard to the bona fides of the claim that this identifying witness cannot appear at the consulate general.

Since the material hitherto submitted in the case as bearing upon the identity of the applicants consists of affidavits of interested parties and since, therefore, the credibility of the affiants is the prime factor in connection therewith, it is suggested that the alleged father of the applicants support the case and evidence his good faith by submitting certifications as to the blood types of all his alleged sons in the United States, as well as a certification of his own blood type, for comparison purposes. Such blood typing should be arranged through the appropriate office of the Immigration and Naturalization Service.

The Department will give further consideration to the case upon the receipt of the information and evidence mentioned above.

Sincerely yours,

WILLIS H. YOUNG,
Acting Chief, Passport Division.

DEPARTMENT OF STATE,
Washington, October 7, 1952.

Mr. FOYD H. REYNOLDS,
Suite 214 Douglas Building,
257 South Spring Street, Los Angeles 12, Calif.

MY DEAR MR. REYNOLDS: With reference to your letter of July 18, 1952, your file No. 1/823, concerning the citizenship claims of WOO Kock Han, WOO Kock Chuey, and WOO Kock Soon, you are informed that the Department has carefully reviewed the files in these cases, but is of the opinion that the evidence and information available do not establish the identity of the claimants to American citizenship to any reasonable degree.

Medical evidence available indicates that the purported twins, WOO Kock Han and WOO Kock Chuey, differ in age by 3 to 4 years. The record of the testimony taken at the American consulate general at Hong Kong shows that the claimants and their alleged mother were unable to agree concerning the applicants' schooling, the location of the native village of the alleged mother, the circumstances of the Japanese occupation of the area and recent asosciation of the applicants with their alleged mother, including association as late as the night before the interview.

In view of the adverse record, briefly summarized above, the Department does not consider that it would be warranted in authorizing documentation to enable the claimants to American citizenship to proceed to the United States. Nevertheless, if you will advise the Department that the applicants' alleged mother will be available for blood typing and, in that event, will advise the Department of the address at which she may be located, the Department will arrange to have her blood type and the applicants' blood type ascertained at Hong Kong. The Department will also, in the event that the applicants' mother will be available, arrange to have the blood types of the other members of the family in the United States ascertained through the Immigration and Naturalization Service, and will give further consideration to the case in the light of such blood-type evidence.

Sincerely yours,

(Signed) WILLIS H. YOUNG,
Acting Chief, Passport Division.

Mr. ROSENFIELD. We have a written request from Ella Kube, chairman of the research commitee of the Los Angeles County Conference on Community Relations that the conference be permitted to file a written brief.

(Submitted statement follows:)

STATEMENT SUBMITTED BY THE LOS ANGELES COUNTY CONFERENCE ON COMMUNITY RELATIONS

LOS ANGELES COUNTY CONFERENCE ON COMMUNITY RELATIONS,
3125 West Adams Boulevard, Los Angeles, Calif, October 14, 1952.

PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
Federal Building, Los Angeles, Calif.

DEAR SIR: I understand from Mr. Zane Meckler that the name of the Los Angeles County Conference on Community Relations was tentatively placed on the list of individuals and organizations reporting at the hearings of the President's Commission on Immigration and Naturalization tomorrow. We had hoped to have a report ready, but, unfortunately, time was too short to prepare an adequate brief; will you, therefore, please withdraw the name of the Los Angeles County Conference on Community Relations.

However, we should like to ask permission to present a written brief concerning the McCarran-Walter Act, to be prepared by the legal committee and the research committee of the Los Angeles County Conference on Community Relations, at a later date. We would greatly appreciate it if we were given the opportunity to do so.

Yours very truly,

RESEARCH COMMITTEE, LOS ANGELES COUNTY
CONFERENCE ON COMMUNITY RELATIONS,
(Signed) ELLA KUBE, *Chairman.*

(The brief follows:)

LOS ANGELES COUNTY CONFERENCE ON COMMUNITY RELATIONS,
Los Angeles, Calif., October 31, 1952.

MR. PHILIP PERLMAN,
President's Commission on Immigration and Naturalization,
1742 G Street NW., Washington, D. C.

DEAR MR. PERLMAN: The Los Angeles County Conference on Community Relations appreciates the opportunity to present to the President's Commission on Immigration and Naturalization a statement concerning American immigration policy.

The Los Angeles County Conference on Community Relations is a coordinating and referral agency working to bring about better intergroup relations. A list of its member agencies is attached.

The major emphasis of the Los Angeles County Conference on Community Relations and of its member agencies lies in the field of human relations, where it is guided by a basic philosophy of the dignity of the individual and by the principle of the equality of all, regardless of race, creed, or national origin. The county conference through its member agencies is working in many areas affecting the well-being of the individual and the community, such as housing, employment, education. It has been our experience that individuals, irrespective of race, creed, or national origin, make valuable contributions to good community living.

In the field of employment we concur with a statement prepared by the Los Angeles Central Labor Council, American Federation of Labor, which is a member agency of the county conference, presented to the President's Commission by Miss Susan Adams.

The county conference is concerned about immigration policies because it is our belief that the kind of attitudes and practices which prevail at the local community level and those that characterize our relationships with people internationally are mutually reinforcing. Specifically, discriminatory clauses in immigration laws reflect on the status of American citizens of various ethnic and national backgrounds, and lend support to the belief that individuals of certain ethnic backgrounds are superior to individuals from other backgrounds. To the extent that immigration laws reflect such biases, the work toward better, more democratic community relations at the local level is handicapped.

We find in the McCarran-Walter Act strong evidence of such discriminatory clauses as indicated in the disproportionately small quotas allowed to persons from south and east European countries, to persons from Asia and to persons of Negro ancestry. However, not only is the size of different quotas discriminatory in nature, the very basis of the quotas in terms of national or racial origin seems to us an undemocratic and unscientific basis for selection. We strongly urge that such discriminatory clauses be eliminated from immigration laws. We should like to support the statements that have been made by Dr. Ralph Beals, of the department of anthropology of UCLA, and that of Mr. J. J. Lieberman for the Los Angeles Jewish Community Council, both of which were made at the hearings of the President's Commission at Los Angeles.

A brief prepared by one of our member agencies, the National Association for the Advancement of Colored People, Los Angeles branch, dealing specifically with the immigration laws as it affects immigrants of Negro ancestry, follows under separate cover.

The second major point which we should like to select for emphasis is that of the differential treatment of native-born and naturalized citizens. We endorse wholeheartedly the point made by Dr. Forrest Weir of the Southern California Council of Protestant Churches when he stated that, once citizenship is granted, an immigrant should be treated as a full American, subject to the normal laws and penalties of the land. If this is not done, we create two levels of citizenship, one inferior to the other, which is a violation of democratic principles.

We join with those church, civic, and labor groups who have appeared before your committee hearing in Los Angeles, urging serious consideration of the present immigration and naturalization laws and urging changes which will exemplify the American spirit and ideal more fully.

Respectfully yours,

GEORGE L. THOMAS,
Executive Director.

(NOTE.—Prepared by the research committee with the help of the legal committee of the Los Angeles County Conference on Community Relations.)

MEMBER AGENCIES OF THE LOS ANGELES COUNTY CONFERENCE ON COMMUNITY RELATIONS, OCTOBER 1952

American Council on Human Rights
American Federation of Labor
American Jewish Committee
Anti-Defamation League, B'nai B'rith
B'nai B'rith Young Adults
B'nai B'rith Youth Organization
Claremont Intercultural Council
Christian World Mission Committee, Hollywood Congregational Church
The Christines
Department Christian Social Relations, Episcopal Diocese of Los Angeles
Duarte Citizens' League
Eagle Rock Council for Civic Unity
Episcopal League for Social Action
Federated Community Service Organizations
Greater Los Angeles CIO Council
Japanese American Citizens' League
Community Relations Committee, Los Angeles Jewish Community Council
Jewish Labor Committee
Jewish Personnel Relations Bureau
International Ladies' Garment Workers' Union, Pacific Coast Office
Los Angeles County Commitee on Human Relations
Los Angeles District Council, Jewish War Veterans, U. S. A.
Los Angeles Urban League
Los Angeles Cloak Joint Board, ILGWU
Los Angeles Dress Joint Board, ILGWU
Los Angeles Sportswear Joint Council, ILGWU
Metropolitan Los Angeles YWCA
National Association for the Advancement of Colored People
National Conference of Christians and Jews
National Congress of American Indians
National Council Negro Women
Our Author's Study Club

Parents for Better Schools
Community Relations Committee, Welfare Council, Pasadena and Altadena
Pasadena Commission on Group Relations
Pasadena YWCA
Santa Monica YWCA
Social Action Department, Congregational Conference, Southern California and the Southwest
Social Action Committee, Christian Churches of Southern California
Social Action Committee, Mount Hollywood Congregational Church
Social Progress Commission, First Baptist Church of Los Angeles
Southern California Conference, B'nai B'rith Women
Southern California Society for Mental Hygiene
Southern Division, California Cooperative League
United Auto Workers (CIO)
Women's International Club

The CHAIRMAN. Is that all the communications?

Mr. ROSENFIELD. That is all I have, sir.

The CHAIRMAN. The Commission has completed the schedule that it had and has also given an opportunity to a number of other representatives or organizations to appear here. We are long past the time we had hoped to adjourn this meeting in order to receive all these communications and all these other statements in the record. We will now adjourn this hearing.

Dr. GOLDNER. Mr. Chairman, I am Dr. Sanford Goldner and last evening—in fact, in the middle of the day I phoned for the Los Angeles Lodges of the Jewish People's Fraternal Order and spoke to Mr. Shirk and was assured that our name would tentatively be on the list.

The CHAIRMAN. We had your name tentatively on the list, but we have heard from a number of Jewish organizations here and in view of our time limitation, we feel that their viewpoint has been adequately expressed.

Dr. GOLDNER. Well, we feel that we have a particular interest in this.

The CHAIRMAN. Well, if you desire anything to be added to our record we would suggest that you prepare a statement and send it to us in Washington. We will be glad to incorporate it.

Dr. GOLDNER. This can be done, but I would like earnestly to ask that, since Los Angeles is the city it is, the Commission extend these hearings, if possible, until tomorrow. I see the Committee for the Protection of the Foreign Born wants to be heard, and I recognize that Los Angeles is perhaps a city of a million or a million and a half Mexican-Americans, whose case in actual day-to-day travail has not been heard. I think the Commission will make a serious error if it leaves without hearing these people.

The CHAIRMAN. We think the viewpoint you will express here has been adequately covered by representatives of similar organizations, and if you want to file a statement we will be glad to have it. We are not going to hear any more oral testimony today.

Miss ROSE CHERNIN. Mr. Chairman, my name is Rose Chernin, representative of the Los Angeles Committee for Protection of the Foreign-Born and——

The CHAIRMAN. Just a moment!

Miss CHERNIN. Mr. Chairman, I just want to finish and that is all. I have a right to express myself. I have been sitting here on your assurance that I would be heard.

The CHAIRMAN. Nobody said you would be heard.

Miss CHERNIN. Yes, you did, and this morning the gentleman sitting right next to you said that I would be heard. Mr. Shirk said so last night.

The CHAIRMAN. I understand that you—and I inquired into it because we have tried to give everybody an adequate hearing—have been indicted and you have been tried and convicted of a violation of the Smith Act. If that is true, the Commission is not interested in hearing anything you have to say.

Miss CHERNIN. Mr. Chairman, I demand that you accept this statement on behalf of our organization in your public hearing.

The CHAIRMAN. I have said that the meeting is adjourned and we are not hearing any more oral testimony today.

Mr. ROSENFIELD. Mr. Chairman, may I request that the Los Angeles record remain open at this point for the insertion of statements submitted by persons unable to appear as individuals or as representatives of organizations or who could not be scheduled due to insufficient time.

The CHAIRMAN. That may be done.

This concludes the hearings in Los Angeles. The Commission will now be adjourned until it reconvenes in Atlanta, Ga., at 9:30 a. m., October 17, 1952.

(Whereupon, at 5:45 p. m., the Commission was adjourned to reconvene at 9:30 a. m., Friday, October 17, 1952. at Atlanta, Ga.)

STATEMENTS SUBMITTED BY OTHER PERSONS AND ORGANIZATIONS IN THE LOS ANGELES AREA

(Those submitted statements follow:)

STATEMENT SUBMITTED BY FRANK KUBAC, 6015 SEVENTH AVENUE, LOS ANGELES 43, CALIF.

SEPTEMBER 30, 1952.

PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
Washington, D. C.

GENTLEMEN: Thanking you for this opportunity, I would like to present my views on the matter under consideration. Although these are my personal deductions I am sure that any American of Czechoslovak extraction would heartily subscribe to it. Limited time though prevents my seeking their sanction.

Having taken a keen interest in public life of our minority and considering the news we are getting from our old homeland. I must say that it was highly unfortunate that the conditions in iron curtain countries in general and Czechoslovakia in particular, were not sufficiently investigated and evaluated. Immigration is, to some extent, like the foreign-trade policy. Any unjust discrimination causes bad feelings.

As conditions in Europe are, the Czechoslovak refugees, running away from the horrors of communism, come to the American zones of Germany in their belief into Americans, not Germans, who are very much inclined to regard them as national enemies. This is the result of the Czechoslovak fight of Hitler's imperialism. Yet just because of this and the common cause against the Communists, the Czechoslovaks became used to regard the Americans as allies. Thus it does not seem to be right to be telling them: "We do not want you, we prefer those always hostile to us."

Having lived for the past 20 years in a freedom of American coinage the Czechoslovaks are very likely to be the first to rebel against the oppression and exploitation of the Red regime. How this spirit will be affected by such a discrimination of the past Congress is easy to imagine. The Communist authorities will exploit it to the most. That might be more effective than the trenches and barbed wire all along the border.

Besides this, there are other disillusionments. When they come to Germany they are seized as violators of the border by the German patrols. These patrols claim the right to punish them for illegal crossing of the border and to turn them back to the communistic authorities in Czechoslovakia to be executed. Of course, America has a treaty with Germany assuring the political asylum which Adenauer signed but a powerful local official does as he pleases.

This is supposed to attain double goal. The first is to crush the spirit of resistence in Czechoslovakia by offering no other choice but either a slave labor camp or a Red firing squad and when there would be no refugees, point out that the Czechoslovaks are 100 percent Communists and do not deserve any liberation. The second reason is still more cunning and wants to get rid of all the people, who see through all their tricks, which might seem plausible to Americans, but which, nevertheless, are a conspiracy against the very American interests. I want to draw your attention to an article, printed in the Saturday Evening Post, July 12, written by Arthur Noyes, but inspired by a German denazified official, Stahl, where this intention is demonstrated most clearly. One communistic spy was caught and that was sufficient proof to charge to being at least 25 to 50 percent Communist all of the Czechoslovak refugees.

The case of Maj. Gen. Robert Brown and his diary, although it happened in a villa, where all the personnel were thoroughly screened Germans, was handily thrown on the heads of the Czechoslovak refugees just as well. But most interesting is the case of Maria Hablick, the wife of a Bavarian land official. This lady was selling to the Czechoslovak communistic authorities of Czecho-

slovakia the protocols her husband extracted from the Czechoslovak refugees and had it not been for the fact, that she in her zeal included also information about the American forces and had not had, at that time, arrived another refugee from Czechoslovakia, who brought the complete carthotek of communistic spies in Bavaria, she might have gone free, entirely. The crimes, committed against the Czechoslovak refugees were, at the trial not even mentioned. But those people were, to some extent, some kind of wards of the United States.

Yet in that article in the Evening Post a small communistic spy is used to charge the Czechoslovak refugees and it is done by a high police commissar, who should know better. The fact is that the Czechoslovaks never choose Germany for permanent residence, because of the hostility of the population. They want to pass through it as fast as possible. It is only for the sick and too old to stay. Nobody wants them. Yet this German police official does not hesitate a moment to brand them as the Stalin forces to operate in back of the American Army, in the case of war. Stalin recruited this old and sick people and did entirely overlook the mighty corps of German Communists, who steadily write, on the address of the Americans, on each wall: "Ami, go home"!

So gentlemen, you may draw your own conclusions, how unfortunate it was when the United States Congress told these people, eager to cooperate and ready for sacrifice: "You are not wanted!" What inducement could anybody find to risk his life to exchange communistic slave camp for a German prison camp and after it return to face the Red firing squad? And that is exactly what this police commissar wants. Will America subscribe to that?

Any more detailed information about the Czechoslovak refugees and their cooperation may be had from the American Intelligence Service in Germany.

I remain most sincerely yours,

FRANK KUBAC.

STATEMENT SUBMITTED BY ELSA ALSBERG, PALO ALTO FAIR PLAY COUNCIL, PALO ALTO, CALIF.

PALO ALTO FAIR PLAY COUNCIL,
180 University Avenue, Palo Alto, Calif, October 11, 1952.

Hon. PHILIP B. PERLMAN,
Chairman, Special Commission on Immigration and Naturalization,
Courtroom 261, Post Office Building, San Francisco, Calif.

DEAR SIR: The Palo Alto Fair Play Council is a nonprofit, community-wide organization which works in a democratic manner for equal rights and fair opportunities for all people, regardless of color, race, creed, or national origin. To promote these aims the organization respectfully urges your consideration of the following recommendations for changes in Public Law 414 (McCarran Immigration and Naturalization Act):

Section 201 (a): Whereas the national origins system of determining quotas based on the 1920 United States census was valid in 1924 when this system became law, it no longer represents a just basis for the allocation of quotas. Since the 1920 census no longer represents the population composition of the United States it does not assign to the countries from which immigrants mainly have come since 1920, their fair share of the total immigration of 154,657. Thus this section discriminates against many who have come since 1920 and who wish to bring friends and relatives from their native lands to the United States.

We urge therefore, that the 1950 census be made the basis for determining national quotas

Section 202 (a): Provides that racial ancestry and not national origin shall determine the quota country to which shall be assigned persons 50 percent of whose racial ancestry can be attributed to the "Asiatic Pacific Triangle," but who are born outside that area.

We urge that this new racial discrimination be removed.

Section 202 (e): Limits to 100 the visas to be granted annually to immigrants born in a colony or other component or dependent area of a governing country, thereby virtually creating new bars to Negro immigration.

We recommend the areas concerned shall share as heretofore, in the visa allotments of their governing countries.

Section 212 (a) (25): Pertains to the entry of displaced persons and the repeal of the provisions of the 1917 law allowing entry of victims of religious

persecution who are illiterate. This section of Public Law 414 would bar displaced persons of Jewish and other religious groupings.

We recommend that the text of the 1917 law be followed to admit victims of racial and religious persecution who are illiterate.

Section 287 (a) (3): Terminating the right of American citizens to be immune from search or official interrogation without a warrant, would work undue hardship on many Mexican-Americans residing in the border areas of the Southwest.

We recommend that safeguards for the protection of these citizens be included in the law.

Respectfully,

ELSA ALSBERG, *Executive Director.*

STATEMENT SUBMITTED BY YANKEE P. TSANG, EDITOR, THE CHINESE WEEKLY, LOS ANGELES, CALIF.

THE CHINESE WEEKLY,
424 Bernard Street, Los Angeles, Calif., October 15, 1952.

The PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
Washington 25, D. C.

GENTLEMEN: The undersigned takes this great opportunity to convey his opinions pertaining to the controversial McCarran-Walter Act, or the omnibus bill, i. e., Public Law 414, passed by the Eighty-second Congress of the United States of America on June 26, 1952.

After a careful study of the provisions provided in the Public Law 414, he discerns, besides the red tapes existing in procuring of quota and nonquota immigrant visas, the numerical limitations imposed on aliens of the so-called "Asia and Pacific triangle" are appalling as compared to those being granted to European nations; two thousand quotas for Asiatic nations versus some 100,000 quotas (according to statistics from unofficial source) granted to European nations annually. Aliens who have found that this is the land of liberty, fraternity, and equality, find likewise this is the country of immigration red tapes and extreme difficulty in securing visas and to live in this great Nation thereafter. This is a Nation of immigrants, it was so from the very beginning when our forefathers migrated into this land of promise and more so as it is today, for "one world one family" and world peace can only be achieved through practicing of what is stipulated in the United States Constitution and Bill of Rights. Therefore, not to confuse the issues, the act of immigration and naturalization and the fight against communism are two problems of different natures; thus the fight against communism should not be used as a pretext to bar alien immigrants who seek the same creeds that our forefathers struggled for. Despite the fact that some public institutions have developed a habit to label those who speak up in favor and for the benefits of the racial minority, he hereby submits some opinions, that he is familiar with, that are critical to the perpetuation and fulfillment of true democratic spirit:

1. Revision of Public Law 414, or the McCarran-Walter Immigration and Naturalization Act of June 26, 1952:

(*a*) The total numerical allotment to quota areas should be equally divided by all nations. Thus, the so-called "Asia-Pacific triangle" immigration program should be nullified. (Secs. 201–207, title II, Public Law 414.)

(*b*) Necessary procedures pertaining to the securing of immigrant status should be simplified for both quota immigrants and nonquota immigrants. (Secs. 211–215, title II, Public Law 414.)

(*c*) Instructions should be directed to immigrant officers that their duty is to help, in accordance with laws, alien immigrants, not to discourage them by unfriendly attitudes.

(*d*) Alien immigrants arriving at ports of United States, after securing required passports and visas from authorized consulates or foreign affair offices stationed outside United States territory should be admitted without further detention, unless proved to be members of subversive activity or carrying epidemic diseases; immigrant officers shall not have the power of detention without direct direction from the Attorney General. (Secs. 231–240, title II, Public Law 414.)

2. Cleaning up of religious, financial, and social discriminating factions and groups such as the Ku Klux Klan, restrictive covenants, anti-Semitism, etc.

Equal business opportunity should be enforced among and extended to all minorities.

The immigration and naturalization issue is something that can be done justice to provided we study it from moral and ethical point of view other than those of political, economical, or racial superiority complex.

Respectfully yours,

YANKEE P. TSANG, *Editor.*

STATEMENT SUBMITTED BY THE YOMA CLUB PIONEER WOMEN, LOS ANGELES 34, CALIF.

[Telegram]

SANTA MONICA, CALIF., *October 17, 1952.*

PRESIDENT'S COMMISSION ON IMMIGRATION,
Executive Office, Washington, D. C.:

We protest the McCarran-Walter bill as being discriminatory.

YOMA CLUB PIONEER WOMEN,
Secretary, 3130 Mountain View, Los Angeles, Calif.

STATEMENT SUBMITTED BY CONSTANTINE PANUNZIO, PROFESSOR EMERITUS OF SOCIOLOGY, UNIVERSITY OF CALIFORNIA, LOS ANGELES, CALIF.

UNIVERSITY OF CALIFORNIA,
October 20, 1952.

PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
President's Executive Office, Washington 25, D. C.

GENTLEMEN: Enclosed please find a statement prepared for your Commission for the public hearing of October 15, 1952, in Los Angeles. I was present at the hearing but on the suggestion of the secretary, Miss Navarro, I withheld its personal presentation. Since your calendar was crowded, and you were pressed for time, I acceded to her suggestion so as not to add to your burdens.

I shall greatly appreciate receiving three copies of your report to the President, if one is made, two of which to be filed with the university.

Respectfully yours,

CONSTANTINE PANUNZIO,
Professor Emeritus of Sociology.

STATEMENT OF MR. CONSTANTINE PANUNZIO, PROFESSOR EMERITUS OF SOCIOLOGY, UNIVERSITY OF CALIFORNIA, LOS ANGELES

OCTOBER 15, 1952.

The PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
Federal Building, Los Angeles, Calif.

DISTINGUISHED GENTLEMEN: My statement differs from those already presented in two respects: (1) I speak not as a representative of any specific organization, and (2) I shall not dwell on those aspects already well brought out by previous speakers, but shall point out one aspect of present immigration laws which is seldom emphasized, namely, their subversive character. I speak as an immigrant, who for nearly five decades has worked among or in behalf of immigrants and who has devoted most of his professional life to a study of immigration and immigration laws, particularly as these affect the relations between nations and peoples. My published writings on migration, citizenship, and naturalization, deportation and on immigrant life in this country reveal a lifelong and intense interest in the very questions which are under discussion here today.

Permit me, first, gentlemen, respectfully to call your attention to the fact that the policy underlying recent United States immigration laws is not native to American soil, but is a foreign importation of dark origin. It originated in Australia in the 1850's; and since Australia was originally a penal colony, the conditions which gave rise to the white Australia policy were certainly markedly different from those established on this continent by the Pilgrim fathers and Plymouth Rock, and the Thirteen Colonies. It bespeaks of farsighted statesmanship that the British Privy Council foresaw the destructive possibilities em-

bodied in that policy and strongly repudiated it; for the white Australia policy, with the discrimination and racial hatreds it incorporated came to play a no small part in fomenting the deep-seated discontent and detestation which in time—worked rather rapidly by the mills of the gods—undermined, weakened, and almost completely destroyed the British Empire.

And it speaks of considerable statesmanship that President after President—Theodore Roosevelt, William Howard Taft, Woodrow Wilson, Franklin Delano Roosevelt, Harry S. Truman—have seen the same destructive potentials in that policy, as it has step by step invaded American soil, and have firmly disapproved it. Recent immigration laws, embodying as they do the deep-seated discriminations and racial hatreds of the white Australia policy, have the distinction, unparalleled in American legislative history, if my knowledge serves me right, of having been vetoed and having become laws without the President's signature more times than any other laws; vetoed at least seven times; failed to pass over the veto three times; twice becoming law without the President's signature.

Why all this vetoing, this becoming law without Executive signature? Because recent immigration laws do not represent the heritage which brought the United States into existence and raised it to greatness; because those laws do not embody the spirit of freedom the founding fathers fought for. It was freedom of migration, and not discrimination, which brought to these shores most of the 39 millions of people from the four corners of the globe since 1820 "to build the Nation's walls." Down to the passing of the literacy test in the heat of war in 1917, America's immigration laws contained not an item of restriction or of the discrimination and hate that have crept into them since that time.

"Having decided to go to America," writes Norman Angell in his very recent autobiography, "I needed no passport, no visa, no landing permit, no place on an immigration quota, no permission to convert sterling into dollars. I did not possess a passport and it occurred to no one to inquire about one. Beyond a few perfunctory questions by the customs people on arrival in New York there was no inquiry, check, control of any kind. I walked ashore as one might walk ashore crossing to the Isle of Wight. There seems to be a feeling in this generation that if the freedom of movement which existed then were permitted now, society would fall to pieces, or blow up in disorder. But when that freedom of movement did exist society did not go to pieces or blow up. It was in many respects a great deal more stable and a great deal freer than is society today" (After All, p. 33).

That freedom brought to these shore Andrew Carnegie, John Jacob Astor, Michael Cudahy, Charles Fleishman, David Sarnoff, William S. Knudsen (General Motors), Joseph Bulova, Pulitzer, Steinmetz, Pupin, Tesla (of Westinghouse fame) Einstein, and scores and scores of other stalwarts whom even the most unlettered American can name.

No wonder that so many Members of the Eighty-second Congress voted against the so-called McCarran-Walter bill. We honor the President for vetoing that act and bemoan the fact that the absence of Senators, away on vote-getting business, made the passage of that law possible, over the President's veto, by a single vote.

That law, going into effect on Christmas Eve 1952, of all things on Christmas Eve, is a subversive act of the greatest magnitude. By establishing the so-called Asiatic-Pacific triangle, that law widens the sweep of and intensifies previous discriminatory laws; it erases the last trace of what the Burlingame Treaty of 1868 called the inherent and inalienable right of man to change his home and allegiance; it makes the first inroad on the application of restriction to the Western Hemisphere, by virtually excluding Negroes from the West Indies; it labels all Asians (including those having 51 percent "Asian blood," as if there were such a thing as "Asian blood") as inferior people; and for good measure it adds most Jews, Eastern Europeans, Negroes to the same category. Thus the McCarran Act perpetuates, deepens, the racist hatreds which contributed so greatly to the horrors of Nazi Germany, to war, and to the destruction of that country. That law affronts, hurts, wounds nearly two-thirds of the human race and therefore is a myriad times more subversive than a few more immigrants, however subversive, could possibly be by residing in this country.

The McCarran law is subversive to America's tradition in another respect: It places enormous power in the hands of one governmental official, the Attorney General, a power which in an emergency may cost us all that America means. It gives that one official and his subordinates the power to select immigrants; to arrest, sometimes without warrant; to hold in custody, sometimes without bail or with impossible, excessive bail; to deport, even into the jaws of death; to denaturalize even long-standing citizens, to create and maintain concentration

camps; and to carry on many similar activities—all of which betrays an utter forgetfulness of the terror days of Mitchell Palmer at the close of World War I or of the methods which Mussolini and Hitler employed, in time of stress, in plunging their countries headlong into ruin.

We rightly denounce the iron curtain; still look at "the McCarran curtain" we are building:

"A series of episodes, magnified by transatlantic transmission, has nourished the fears of our friends and helped to build the picture of a nation which is forgetting its pioneer dedication to individual liberty. The stiff immigration barriers against even our most respected foreign visitors; the personal questions asked of anyone desiring to visit our shores, the whole series of exclusions of distinguished European scholars and intellectuals; the refusal of visas to equally distinguished American scholars; the threat of debarring an outstanding resident of many years recently gone on a visit to Great Britain unless the succession of such episodes is checked, the abnormal and the exceptional may become the true reflection of America. Americans are aware of the iron curtain that Moscow had erected to cut its people off from cultural contact. Many of our friends abroad fear we are building an iron curtain of our own, and to their eyes it is not always distinguishable from Moscow's" (Abstract, Joseph C. Harsch, The Reporter, New York, September 30, 1952, p. 15).

And if the question is asked, as it was a moment ago by your chairman, "If the immigration laws are as undesirable as some of you claim, how explain their being passed by Congress and their being favored by the public?", the answer may be given in the words of as able a statesman and journalist as Norman Angell:

"Let us keep two things clear. To give the public what it wants may be at times * * * extremely bad for it. When it happens to have [been fed] and acquired certain prejudices that may create a good deal of havoc in the world, it does the world ill service to feed that prejudice, persuade its victims that it is virtue. * * * To pander to public weakness is in some circumstances a very mischievous occupation. * * * The knowledge of what the public wants can be used to better ends" (After All, pp. 132–133).

And if the question is asked again as it was a moment ago, "What would you do? Throw the gates wide open to a flood of immigrants?" The answer is, "Not at all." Safeguard America's achievement and integrity in every way possible. An immigration law could be enacted that would be in spirit, and in form, worthy of the country whose name it would bear. Restrict but do so with moderation; and if the needs of the country would call for it, restriction could be flexible. Select, preferably at points of origin, but not in terms of creed, race, color, or culture. Every applicant could be received on the basis of his character, ability, occupation, health, and what not, but every applicant could be treated equally, in keeping with the noble tradition of equality established and followed throughout most of the history of this country.

I repeat, gentlemen, the present immigration law contains subversion of the first magnitude; it endangers—unwittingly, no doubt, on the part of its authors—the very foundation of America.

In all humility and with respect, I beg your honorable Commission, and through you the President, to do all in your and his power to mitigate that law and pave the way, in every possible way, for its repeal and replacement.

And if you will, gentlemen, will you permit me to quote a few lines from Kipling with which, of course, you are thoroughly familiar? I quote them not for their poetic eloquence, not for the warning which they once sounded. I quote them because they have become stark and unforgettable history.

"The tumult and the shouting dies—
The Captains and the Kings depart—
Still stands Thine ancient sacrifice,
An humble and a contrite heart.

If, drunk with sight of power, we loose
Wild tongues that have not Thee in awe—
Such boastings as the Gentiles use,
Or lesser breeds without the Law—

For heathen heart that puts her trust
In reeking tube and iron shard—
All valiant dust that builds on dust,
And guarding calls not Thee to guard—

Judge of the Nations, spare us yet,
Lest we forget—lest we forget!"

STATEMENT SUBMITTED BY EVERETTE M. PORTER, CHAIRMAN, LEGAL REDRESS COMMITTEE, LOS ANGELES BRANCH OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, LOS ANGELES, CALIF.

BRIEF URGING THE REPEAL OR AMENDING OF THE MCCARRAN-WALTER BILL, PUBLIC LAW 414

It is urged that the McCarran-Walter bill, Immigration and Nationality Act, Public Law 414, be repealed or amended to remove those elements of the law which are unconstitutional.

This contention of unconstitutionality is based upon the fact that this law:

1. Contravenes the United Nations Treaty as a law of the land.

2. Contravenes the United Nations Treaty, if not as a law of the land, as an aspiration or statement of policy of the United States.

3. Contravenes the basic philosophical concept upon which our Nation and its laws are based, i. e., Christian concept of the dignity of human beings, the equality of humans before God.

4. Contravenes the United Nations Charter of 1945 as a law of the land:

"All treaties made, or which shall be made, under the authority of the United States shall be the supreme law of the land"; article VI of the Constitution of the United States.

Under the above, it has been held that a treaty has at least equal force with the Constitution itself.

In *Ware* v. *Hylton* (3 Dall 199) Justice Cushing said: "The treaty, then, as to the point in question, is of equal force with the Constitution itself, and certainly, with any law whatsoever."

Under the decision of *Mo.* v. *Holland* the following doctrine is operative: Acts of Congress are the supreme law of the land only when made in pursuance of the Constitution, while treaties are declared to be so when made under the authority of the United States.

Under the United Nations Charter, chapter IX, article 55, the United Nations shall promote universal respect for, and observance of, human rights and fundamental freedom for all without distinction as to race, sex, language, or religion.

Chapter IX, article 56: "All members pledge themselves to take joint and separate action in cooperation with the organization for the achievements of the purpose set forth in article 55."

In December 1948, the General Assembly of the United Nations passed a universal declaration of human rights affirming among other things that "All human beings are born free and equal in dignity and rights. They should act toward one another in a spirit of brotherhood." Article I: Everyone is entitled to all the rights and freedoms in this declaration without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.

A perusal of the Charter renders it manifest that the restrictions contained in the McCarran-Walter bill are in direct conflict with the plain terms of the Charter above-quoted. It is incompatible with article 56 of the United Nations Charter, which has the status of a treaty, under the authority of the United States and thus is a supreme law of the land of like status as the Constitution of the United States.

The right to legislate on immigration and naturalization is a power granted to the Congress. Section 8, article I, however, now with the recognition of the United Nations, the United States occupies a position to the United Nations similar to a State to the National Government, hence like a State which has been denied the use of race or language as a mode of classification for the purpose of the law (art. 13) so Congress in exercising its power to legislate on immigration is limited as to its use of religion, sex, race, and language in the exercise of its constitutional power.

Thus it is contended that the legislation of Congress in the above bill is unconstitutional because the quota system is arbitrary, unreasonable, and based upon race, sex, language, as for example:

(*a*) The quota of an immigrant who is attributable by as much as one-half of his ancestry to a people or peoples indigenous to the Asia Pacific triangle is determined by the following rules:

1. An immigrant born within a separate quota area situate wholly within the Asia-Pacific triangle is chargeable to the quota for the separate quota area in which he was born. For example, a person of Japanese ancestry born in

Korea is chargeable to the quota of Korea; and a person of Korean ancestry born in Japan is chargeable to the quota of Japan.

2. An immigrant born within a colony or other dependent area situate wholly within the Asia-Pacific triangle is chargeable to the Asia-Pacific quota. For example, a Japanese immigrant born in Hong Kong is chargeable to the Asia-Pacific quota of 100, and now to the quota of Great Britain or of Japan.

3. An immigrant born outside of the Asia-Pacific triangle who it attributable by as much as one-half of his ancestry to a people or peoples indigenous to not more than one separate quota area situate wholly within the Asia-Pacific triangle is chargeable to the quota of that quota area. For example, an immigrant born in France of an English mother and an Indonesian father is chargeable to the quota of Indonesia.

4. An immigrant born outside the Asia-Pacific triangle who is attributable by as much as one-half of his ancestry to a people or peoples indigenous to one or more colonial or other dependent areas situate wholly within the Asia-Pacific triangle is chargeable to the Asia-Pacific quota. For example, an immigrant born in the Netherlands of Malayan ancestry is chargeable to the Asia-Pacific.

5. An immigrant born outside the Asia-Pacific triangle who is attributable by as much as one-half of his ancestry to peoples indigenous to two or more separate quota areas situate wholly within the Asia-Pacific triangle or to a quota area or areas and one or more colonies and other dependent areas situate wholly therein, is chargeable to the Asia-Pacific quota. For example, an immigrant born in France of a Japanese father and a Malayan mother, or of a Korean father and an Indonesian mother, is chargeable to the Asia-Pacific quota.

6. An immigrant child, who is attributable by as much as one-half of his ancestry to a people or peoples indigenous to the Asia-Pacific triangle, when accompanied by his alien parent or parents, may be charged to the quota of the accompanying parent or to the quota of either accompanying parent, if such parent has received or would be qualified for an immigrant visa, if necessary to prevent the separation of child and parent. For example, a child born in China of a Japanese mother and a British father may be charged to the British quota.

7. An immigrant who is attributable by as much as one-half of his ancestry to a people or peoples indigenous to the Asia-Pacific triangle, may not be charged to the quota of his accompanying spouse, but is chargeable to a quota as described above under (1) to (5). For example, the alien wife of the Chinese ancestry who accompanies a British or a Japanese husband is chargeable to the Chinese quota.

8. A Chinese person, that is a person who is attributable by as much as one-half of his ancestry to the Chinese people, is, regardless of place of birth, always chargeable to the Chinese quota of 105, unless he is entitled to nonquota status under one of the classes described below under (*b*), or unless he may be charged to the quota of a parent as described above under (6) (secs. 201 (a), 202 (a) (b)).

The quota for China of 100 is available to persons who are not Chinese persons and who are chargeable to it under the general rules described above governing quota chargeability.

For example, a quota immigrant who is a Chinese person is chargeable to the Chinese quota whether born in Great Britain, China, or Argentina. A quota immigrant born in China of Korean or of French parents is chargeable to the quota of China.

It is the above regulations which are arbitrary, discriminatory, unreasonable in their quota classification, and taint the law as unconstitutional, because the quota classifications are based on race and language. Also the over-all determination of the quota to which an immigrant is chargeable is also tainted, in its discrimination against Negroes, orientals, and non-Caucasians and colonials, therefore the act of Congress is contrary to the supreme law of the land and treaties made pursuant thereto.

An immigrant born in a colony or other dependent area for which no separate or specific quota has been established is chargeable to the quota of the governing country, but not more than 100 quota numbers from the quota of the governing country may be issued in any one year for immigrants born in a particular colony or dependent area. For example, an immigrant born in Malta or Jamaica is chargeable to the British quota, but not more than 100 immigrants born in Malta and not more than 100 immigrants born in Jamaica may be issued visas within 1 year (sec. 202 (a) (3)).

2. Contravenes the United Nations treaty, if not as a law of the land, as an aspiration or statement of policy of the United States.

If, as some contend, the United Nations Treaty is but a statement of policy or aspiration, the McCarran Act for the reasons mentioned under I are contrary to the public policy of the United States, in basing its quota system on race, language, which are arbitrary and unreasonable classification.

3. Contravenes the basic philosophical concepts upon which our Nation and its laws are based.

The idea behind this discriminatory policy was, to put it baldly, that Americans with English or Irish names were better people and better citizens than Americans with Italian or Greek or Polish names. It was thought that people of West European origin made better citizens than Rumanians or Yugoslavs or Ukrainians or Hungarians or Balts or Austrians.

Such a concept is utterly unworthy of our traditions and our ideals. It violates the great political doctrine of the Declaration of Independence that "All men are created equal." It denies the humanitarian creed inscribed beneath the Statue of Liberty proclaiming to all nations:

"Give me your tired, your poor, your huddled masses, yearning to breathe free."

It repudiates our basic religious concepts, our belief in the brotherhood of man, and in the words of St. Paul that "there is neither Jew nor Greek, there is neither bond nor free * * * for ye are all one in Christ Jesus."

Text of President's message of June 25, 1952, vetoing the McCarran-Walter bill.

Submitted this day, November 3, 1952, by Los Angeles Branch of NAACP.

(Signed) EVERETTE M. PORTER,
Chairman Legal Redress Committee,
Los Angeles Branch of NAACP.

STATEMENT SUBMITTED BY MRS. MILDRED J. FIELD, NORTH HOLLYWOOD, CALIF.

11650 KITTRIDGE STREET,
North Hollywood, Calif., November 12, 1952.

PRESIDENT'S COMMISSION ON IMMIGRATION AND NATURALIZATION,
Washington, D. C.

GENTLEMEN: I made the trip from the San Fernando Valley to Los Angeles when your commission met here, but as you will remember, some of us who were scheduled to speak could not be heard. But I well remember the Jewish groups who insisted on being heard—including Rose Chernin Kusnitz, Communist convicted under the Smith Act in our courts here.

It is my belief that it is chiefly Jewish pressure groups which have tried to influence the President to circumvent the actions of both the Congress and the Senate in their passing of the McCarran bill. I enclose newspaper clipping (1) as proof of the desire of Israel to have our laws changed in order that they may have dual citizenship. Would they object to this change applying to German soldiers? Or would the rest of us object to its application to Russian soldiers?

Jewish pressure groups put those of us who have been tolerant and broad-minded in the past in an impossible situation—they force us to say, "Your race has come in under all quotas—more than any other; you have used the Nazi persecution as the opening wedge which you pry further and further open until you would change the face of our people by your numbers. And now you want dual citizenship—you want the United States to be both the banker and protector of Israel."

We have heard too much of minority-group persecution; majorities have rights, too. As a member of the majority group may I point out that it appears that as a minority they furnished us with a disproportionate number of spies and traitors—Judith Coplon, Gold, Greenglass, the Rosenbergs, Rose Chernin Kusnitz. (However, do not misunderstand me. I have explained to many that while this woman was present at the hearing that your chairman refused to let her proceed.) But, may I ask, would you have known she was a convicted Communist had not some alert good American pointed the fact out to you? Would her testimony have been carried back to the President as an "expression of the peoples desires?" (And I trust you read the Tenney reports handed you.)

For the record I want it clearly known that I am not opposed to any good American of the Jewish race or religion, or whatever one may designate these citizens. I would defend them just as royally as the President or any so-called "defender of the peoples rights." Perhaps in the end I might be a better friend,

because I would say to them, "You are going to become heartily disliked, maybe even persecuted, if you don't stop this clamor for special privilege."

Setting up of Israel appears to have been done with American money, and at the expense of our good relations with the Arab countries. We are supposed to pay (in money) for that, too. Therefore, we woo one group and alienate another. And that, for my money, is plain stupid. I believe that if the Jews of Israel expect $715,000,000 reparations from Germany that they should be forced to pay reparations to the Arabs whom they, in turn, drove from their homes. The Germans drove out the Jews—the Jews drove out the Arabs. What difference is there except pressure groups who try to prove the Jews lily white and "persecuted"? And maybe American boys will die fighting the Arabs.

I quote Representative Celler of New York, "As a Zionist, he (Rabbi Silver) should be on his hands and knees to Truman." This gags me—on his hands and knees for what? Special privilege? Successful lobbying for Jews and Israel?

If I have anti-semitism it came from the Jews themselves. For 7 years I had a family of Russian Jews from Odessa on the Black Sea move in next door to me and make my life a hell on earth. I had to use almost every law-enforcing body to convince them that America is not simply a land of gimme, but that we are a great Nation because we believe in justice for all, including ourselves.

And yet I had to weep when my Jewish doctor died, a wonderful American citizen who once said to me, "I don't know what's the matter with some members of my race—they are never satisfied; they want to corner everything." And that to my mind should be taken to heart by every Jew who wishes his race to survive.

In writing this letter I am fully in mind of the Jewish Anti-Defamation League. Now isn't that something? A Jewish Gestapo which aims, evidently to silence, to persecute, to threaten, to intimidate all who dare to criticize. I am not against any man because of his race, but neither will I excuse any man because of his race. I am probably on their black list already because I helped evict a Zionist-Communist group from a civic association when they taught children from known Communist books, and had the Zionist flag above the American flag! And that, gentlemen, is where, in the books of many Jews, the Zionist flag is—right above the American flag. Are you going to uphold that? As a plain American citizen I say that you had better look twice before advocating any lowering of immigration laws—in fact, I think you should advocate a definite check on Jewish immigration and see that the present unbalance is corrected at once.

There is also the economic angle. Here in the San Fernando Valley I have heard of Jewish immigrants who aren't musicians being placed in orchestras, of seamstresses who can't sew being placed in wardrobe departments of the studios, of refugee painters replacing gentile ones of American born—I could cite numerous others. I have helped build our schools and watched them take over—so on ad infinitum.

The $50,000,000 bond drive for Israel was bad enough, but if they are at the root of the attempt to change our protective laws, as the news dispatches seem to indicate, then American citizens will have to take more positive action even, than they did in the recent elections—and I ask you, do you expect anything clearer than that from the American people? Truman should quietly slide out of office. But for God's sake don't let him slip in some underground last-minute changes for which the rest of us will have to suffer.

American citizen (and believe it or not, a Democrat).

Mrs. Mildred J. Field.

P. S.—My own nice manuscript paper, my own morning, my own 4-cent envelope. For what? Believe me, for America!

Israeli Asks United States To Sift Conflicting Laws

(New York Times News Service)

Tel Aviv, Israel, November 4.—The Israeli Government has instructed Abba S. Eban, its Ambassador in Washington, to approach the State Department with a series of proposals in an urgent effort to overcome the conflict between the Israeli military service law and the McCarran Act.

The conflict may force some Americans who are residents here to choose between giving up United States citizenship or deserting from the Israeli army.

Under Israeli law, every permanent resident of the country, regardless of nationality, is liable to military service—men from 18 to 45, and women without

children from 18 to 34. About 2,000 United States citizens are included in these groups.

The United States hitherto had raised no objection to such service provided the American citizen took no oath of allegiance to a foreign state.

But according to the McCarran Act, which goes into effect December 24, any United States citizen who serves in the armed forces of another country will automatically lose his citizenship. Many American residents, who asserted their desire to retain American citizenship when Israel's Nationality Act went into effect last July, thus may lose their citizenship after all if they comply with the Israeli law.

Celler (in a statement issued in New York): "Silver's action is in bad taste and an affront to Zionists like myself. It all proves that when a rabbi steps off his pulpit and turns politician, he becomes a bad rabbi and a worse politician. . . . As a Zionist, he (Silver) should be on his hands and knees in gratitude to Truman."

Israel Economic Parley Opened To Push Bonds

The first west coast economic conference for Israel opened a 2-day session in the Embassy Room of the Ambassador last night.

Harold J. Goldenberg, director of the Israel Investment Center, and Virgil Pinkley, editor-publisher of the Los Angeles Mirror, were principal speakers at the initial session.

Goldenberg stressed the point that private investments in Israel cannot continue unless bonds are sold to finance the nation's basic needs for transportation and other industries, without which the new nation cannot advance economically.

However, he pointed out, this is one time in which a people can invest in the future of a nation whose determination is to carve an economic security out of a heritage that dates back thousands of years.

LEADERS OF DRIVE

Max Lapin, Los Angeles Israel bond chairman, was in charge of the opening session, assisted by Mrs. Isadore Rosenns, chairman of the women's division for the Los Angeles Committee for Israel Bonds. Also among the speakers was Harry Beilin, Israel consul for the west coast.

A workshop session will be held starting at 10 a. m. today in the Ambassador Theater, when Henry Montor, Israel bond executive, will lead a discussion of means to realize the full $500,000,000 Israel independence bond issue. There will be a luncheon in Cocoanut Grove today with Ben Swig of San Francisco as chairman and Lt. Gov. Goodwin Knight, Leon H. Keyserling and Maurice Samuel as speakers.

Arabs Threaten Break With West Germany

Cairo, November 8 (UP).—Seven Arab states were reported today to have threatened to break off economic relations with West Germany unless the Germans within 24 hours renounce their agreement to pay Israel $715,000,000 in reparations.

The Bonn government is expected to ignore or reject the reported ultimatum.

An informed but unofficial source said Egyptian Premier Mohammed Naguib handed the ultimatum to Guenther Pawelke, German Ambassador to Egypt, immediately after a meeting of the Arab League Political Committee last night.

Naguib said he will meet Pawelke again today, just before the next meeting of the committee, to hear Germany's reply. The Arab League comprises Egypt, Saudi-Arabia, Syria, Lebanon, Iraq, Jordan, and Yemen.

Naguib, who is chairman of the political committee, said the German-Israeli reparations agreement represents a greater threat to the Arab world than the loss of trade with Germany.

Other Arab sources said Germany's payment of $715,000,000 worth of reparations to Israel would almost nullify the Arab states' blockade of the Jewish state and give a shot in the arm to any Israeli military preparations against its Arab neighbors.

The German-Israeli reparations agreement was signed in Luxemburg last September 10. It was designed to compensate Jews for their suffering at the hands of Nazis.